



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

"Making a Difference"

MEETING DATE October 7, 2005 LOCAL EFFECTIVE DATE October 21, 2005 APPROX FINAL EFFECTIVE DATE November 14, 2005	CONTACT/PHONE Kerry Brown 781-5713	APPLICANT Sherman Starr, et al.	FILE NO. D010161P
SUBJECT Request by Sherman Starr et al. for a Minor Use Permit / Coastal Development Permit to allow three single family residences on 3 existing parcels created by Parcel Map CO 95-055 (lots 2-4). The project consists of a 6,250 square foot single family residence and pool on lot 2, a 3,138 square foot single family residence on lot 3, and a 3,574 square foot single family residence on lot 4. The project will result in the disturbance of approximately 20,000 square feet (2 of the 3 pads were previously graded with the subdivision) on three parcels totaling 2.3 acres. The project is located at 1521 Valley View Lane on the north and southeast portions of the intersection of Starr Lane and Valley Vista in the community of Los Osos in the Estero planning area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit D010161P based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 26, 2002, 2002 for this project. Mitigation measures are proposed to address biological resources, cultural resources, public services, and transportation and are included as conditions of approval.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Local Coastal Plan, Archaeologically Sensitive, Coastal Appealable Zone	ASSESSOR PARCEL NUMBER 074-325-062, 063, & 064	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: No Area Plan standards. <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Plan, Coastal Appealable Zone, Archaeologically Sensitive <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14 calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Vacant	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Open Space; State Park <i>South:</i> Residential Suburban; residential <i>East:</i> Residential Suburban; residential <i>West:</i> Residential Single Family; residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Los Osos Community Advisory Council, Public Works, South Bay Fire Department, California Cities Water, and the California Coastal Commission	
TOPOGRAPHY: Moderately Sloping	VEGETATION: Morro manzanita, Maritime chaparral
PROPOSED SERVICES: Water supply: California Cities Water Sewage Disposal: Individual septic system Fire Protection: South Bay Fire Department	ACCEPTANCE DATE: April 12, 2002

DISCUSSION

HISTORY

The applicant has received approval for a 4 lot cluster parcel map in May of 1997 (CO 95-055). The map recorded on October 15, 2003.

The proposed development will impact central maritime chaparral, considered to be a sensitive natural community by the California Department of Fish and Game (as delineated in the Natural Diversity Database). The federally threatened Morro manzanita is one of the species that constitute this community. Construction of the home on parcel 4 will result in clearing of roughly 6,000 square feet of maritime chaparral that includes nine (9) mature individuals of Morro manzanita. The applicant has agreed to replant 45 new Morro manzanita plants (5:1 replacement ratio). In addition to the replanting, the applicant has agreed to place 60% of parcel 4 of CO95-055 (approximately 28,750 square feet) into an Open Space Easement for long term habitat protection (see condition of approval #11)

PLANNING AREA STANDARDS:

There are no planning area standards that apply to this parcel.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Program.

Section 23.01.043 - Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the site is located between the first public road (Los Osos Valley Road) and the ocean.

Section 23.07.104 - Archaeologically Sensitive Areas

The project site is within a mapped Archaeologically Sensitive Area. A Cultural Resource Inventory was previously done, (Gibson, February 1984) for the parcel. The results of the survey found that prehistorical

resources are present on the parcel. Since there is substantial evidence that the site contains cultural resources, monitoring has been required and is a condition of approval.

COASTAL PLAN POLICIES:

The project is consistent with the Coastal Plan Policies. The most relevant policies are discussed below.

Environmental Sensitive Habitats

Policy 1: Land Uses within or adjacent to Environmentally Sensitive Habitats. Although the site is not located in a mapped environmental sensitive habitat, the site supports a federally threatened species (Morro manzanita), the applicant is required to replace all Morro manzanita plants impacted at a 5:1 ratio and place 60% of the parcel 4 in an open space easement.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because the new residences will be located on existing lots of record in the Residential Suburban category on a slope less than 20 percent.

Policy 8: Timing of new construction: The proposed project is consistent with this policy because the project is required to have an erosion and sedimentation control plan and all slope and erosion control measures will be in place before the start of the rainy season.

Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the new garage will not increase erosion or runoff.

Archeology:

Policy 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas applies to the project. A Cultural Resource Inventory was previously done, (Gibson, February 1984) for the parcel. The results of the survey found that prehistorical resources are present on the parcel. Since there is substantial evidence that the site contains cultural resources, monitoring has been required and is a condition of approval.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: A referral was sent to the Los Osos Community Advisory Council, the advisory supported the project.

AGENCY REVIEW:

County Public Works - Recommend approval, Need drainage plan for each structure. Los Osos Road Fees will be due. Encroachment permit needed if any work done in County right-of-way.

County Fire/ CDF -Fire Plan.

California Cities Water - No comment.

Coastal Commission - No response.

Staff report prepared by Kerry Brown and reviewed by Matt Janssen

EXHIBIT A - FINDINGS

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 28, 2002 for this project. Mitigation measures are proposed to address biological resources, cultural resources, public services, and transportation and are included as conditions of approval.
- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Valley View Lane and Starr Court, both local roads constructed to a level able to handle any additional traffic associated with the project.
- G. The project site is located between the first public road and the ocean. The project site is within an urban reserve line (Los Osos) and an existing coastal access point exists within 2.5 miles of the project site, therefore, the proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes three single family residences on 3 existing parcels created by Parcel Map CO 95-055 (lots 2-4), as follows:
 - A. A 6,250 square foot residence and pool on Lot 2,
 - B. A 3,138 square feet single family residence on Lot 3, and
 - C. A 3,574 square feet single family residence on lot 4
2. Site development shall be consistent with the revised site plan, floor plans and elevations.

Building Height

3. **The maximum height of the project is 29 feet as measured from finished grade.**
 - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the control point shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Archaeology

4. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
 - a. List of personnel involved in the monitoring activities;
 - b. Description of how the monitoring shall occur;
 - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - d. Description of what resources are expected to be encountered;
 - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - f. Description of procedures for halting work on the site and notification procedures;
 - g. Description of monitoring reporting procedures.
5. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.
6. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all

recommended mitigation measures have been met.

Threatened Plant Protection/Replacement

7. The applicant understands that the proposed project is within a biologically sensitive area (*Botanical Report: Levine Fricke, January 17, 2002*). The site contains a threatened species listed under the federal Endangered Species Act (Morro manzanita; *Artostaphylos morroensis*). In an effort to mitigate for the direct loss of (4) four Morro manzanita plants, the applicant agrees to implement the following mitigation measures:
 - a. The four manzanita plants lost as a result of the project shall be replaced at a 5:1 ratio. A total of **45** new Morro manzanita plants shall be planted on-site for long term replacement and habitat enhancement. The new plants shall be actively maintained throughout the life of the five years monitoring period.
 - b. Prior to replanting, the applicant shall engage the services of a qualified biologist to:
 1. Establish the proper density for replanting
 2. For on-site field consultation
 3. Have the biologist available for an on-site field verification inspection with staff from the Development Review Section of the Department of Planning and Building.
 - c. Cuttings shall be taken while the stem tips are vigorously growing in spring or early summer.
 - d. The cuttings shall be dipped in a rooting compound and planted in a flat using a planting mix.
 - e. When rooting occurs the cuttings shall be transferred to one gallon size containers.
 - f. The new plants shall be planted in the designated receiving site (see Exhibit A) in the fall after the first rains.
 - g. A drip irrigation system shall be used to supplement the rainfall in the winter when long dry periods occur.
 - h. Irrigation shall also occur at weekly intervals during the first summer.
 1. Irrigation shall be discontinued after the first summer.
 - j. To control the growth of non-native exotic vegetation (e.g. ice plant pampas grass, etc.) the areas between the manzanita shall be mowed and cleared of non-native vegetation regularly for at least the first five years.
 - k. Cuttings shall be taken during the second year so that there will be enough to replace any of the plants of the original planting that might have died. These second phase cuttings shall be propagated using similar methods as the first phase.
 - l. The new plants shall be monitored for a five year period. Annual reports shall be submitted to the Environmental Division each year for review and approval. The annual reports shall be prepared by a qualified individual, as approved by the Environmental Coordinator. At the end of the five year period, at least 20 new manzanita shall be established on site.

Delineation of Disturbance Areas

8. Prior to construction activities, a disturbance control line shall be established with 4 foot high orange barrier fencing with metal T-posts every 8 feet along the southerly limit of the building envelope. All other manzanita within 50 feet of the project area shall be fenced-off from ground disturbing activities

during the entire construction period. The fencing shall be strong enough to withstand minor impacts from construction equipment.

Exotic Plant Removal

9. **Prior to commencing with manzanita replacement**, the applicant shall remove the exotic (non-native) plants from the subject property. Areas of unprotected soil shall be re-seeded with a native plant mix (or landscape materials) sufficient to protect exposed soil areas from erosion due to wind or water.

Monitoring Program

10. To ensure that site disturbance is contained within the prescribed building and site improvement areas and that the replanting program is implemented effectively, the applicant shall contract with a qualified biologist approved by the Department of Planning and Building, Environmental Division for mitigation monitoring. The mitigation monitoring activities and intervals shall be as follows:
 - a. **prior to issuance of a grading or building permit** replanting plan shall be submitted to Environmental Division staff for review and approval
 - b. **prior to issuance of a grading or building permit** a pre-construction meeting shall be convened with the general contractor and grading sub-contractor to explain the mitigation program on-site, in conjunction with or immediately after the field inspection for site-disturbance-containment fencing and staking of the utility corridor and drainage course/erosion control improvements identified in the drainage plan.
 - c. **during grading activities, trenching for utilities, and construction of drainage improvements** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)
 - d. **during removal of non-native plants** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)
 - e. **during planting of 20 replacement Morro manzanita** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)
 - f. **during the field verification visit for Environmental Division staff inspection** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)
 - g. **during field verification visit(s) for annual reports throughout the monitoring period** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)

Open Space Easement

11. **Prior to issuance of a building permit for parcel #4**, the applicant shall enter into an open-space agreement in a form approved by County Counsel for the area shown on Exhibit A encompassing Morro manzanita.

Fire Safety

12. **Prior to issuance of a construction permit**, the applicant shall provide the Department of Planning and Building with a fire safety plan approved by the South Bay Fire Department

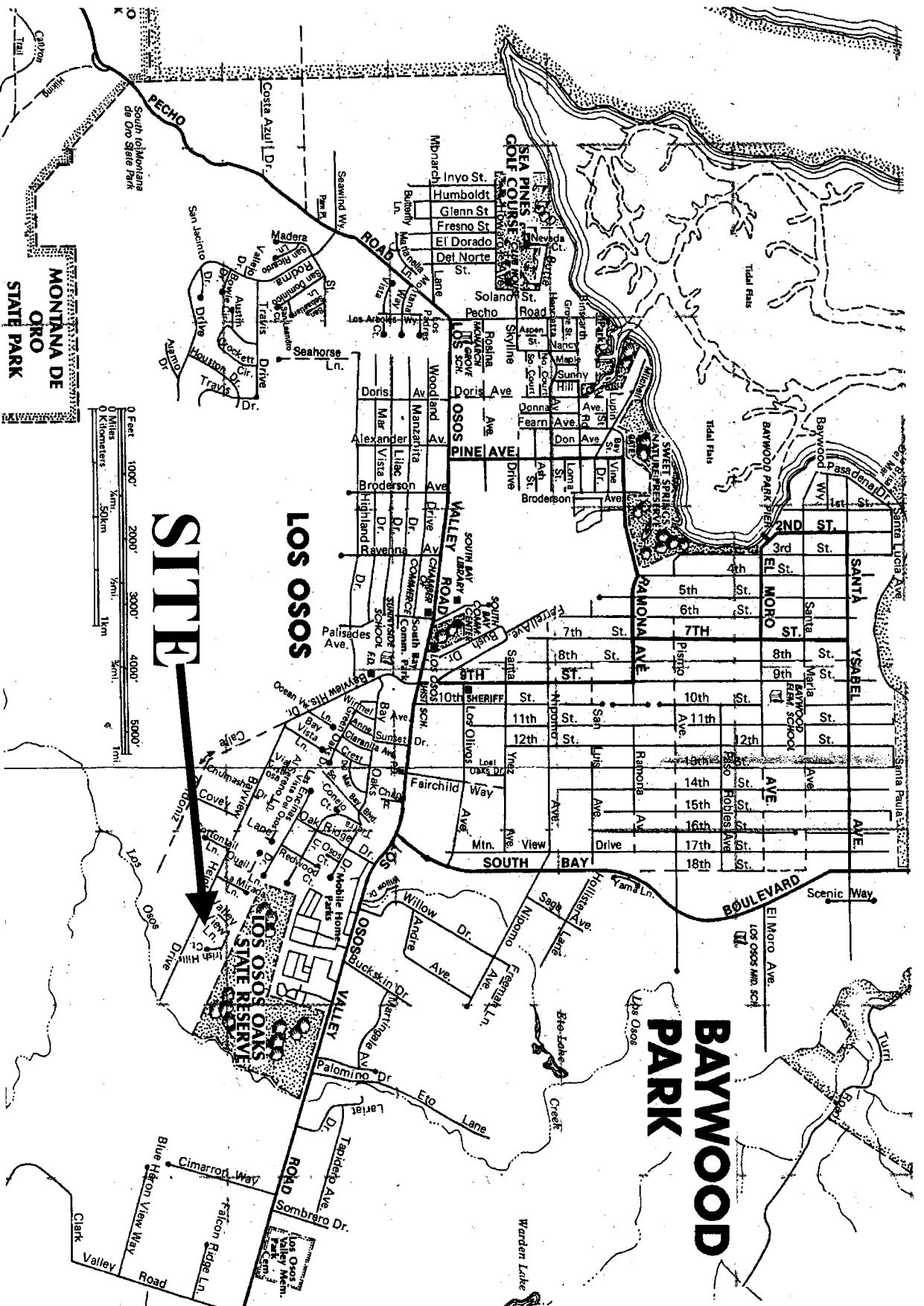
13. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from South Bay Fire Department of all required fire/life safety measures.

Services

14. **Prior to issuance of construction permit**, the applicant shall provide a letter from California Cities Water Company stating they are willing and able to service the property.

Miscellaneous

15. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
16. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
17. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
18. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.



PROJECT
Minor Use Permit
STARR D010161P

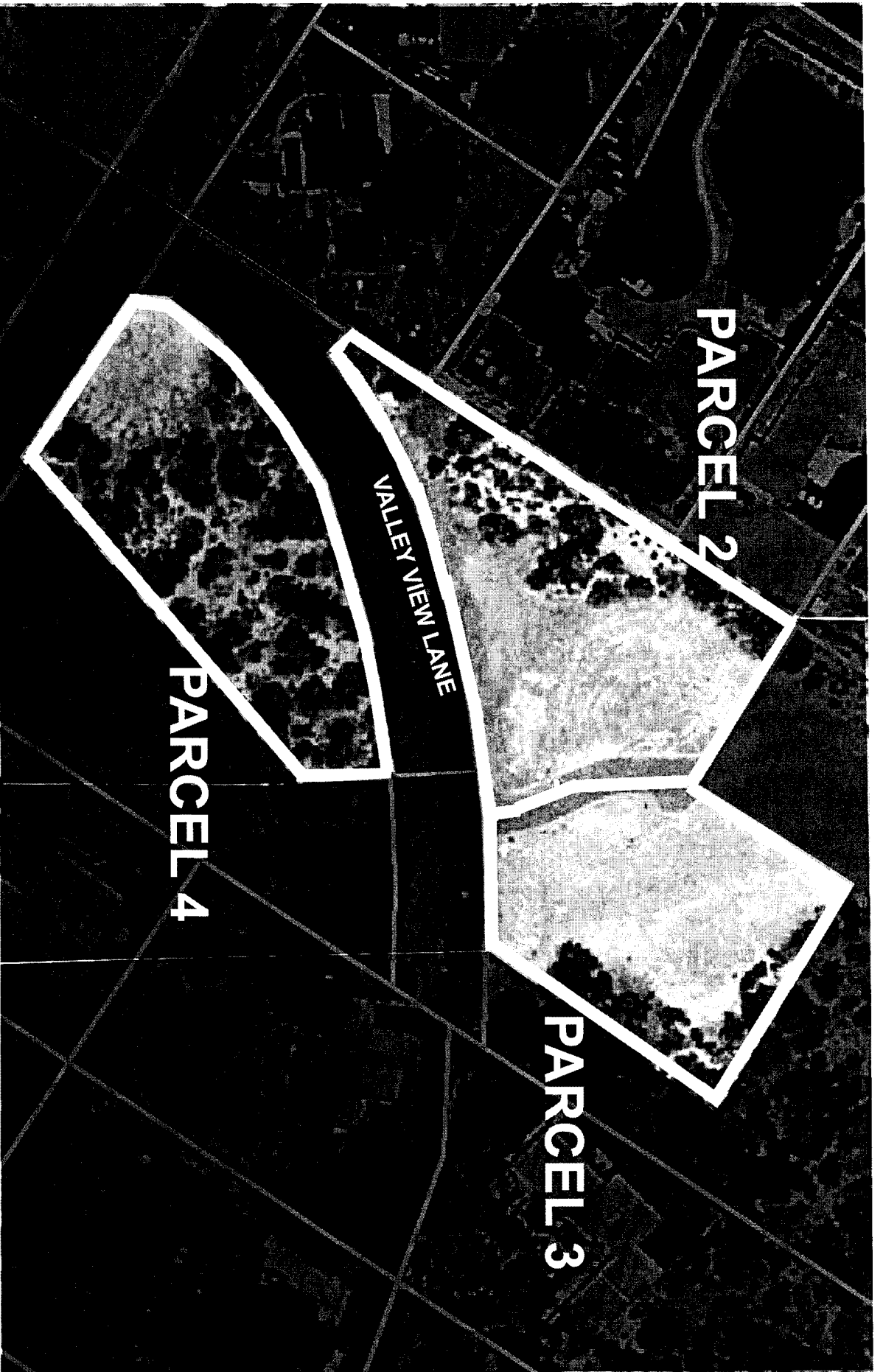


EXHIBIT
Vicinity Map

Minor Use Permit
STARR D010161P



Land Use Map



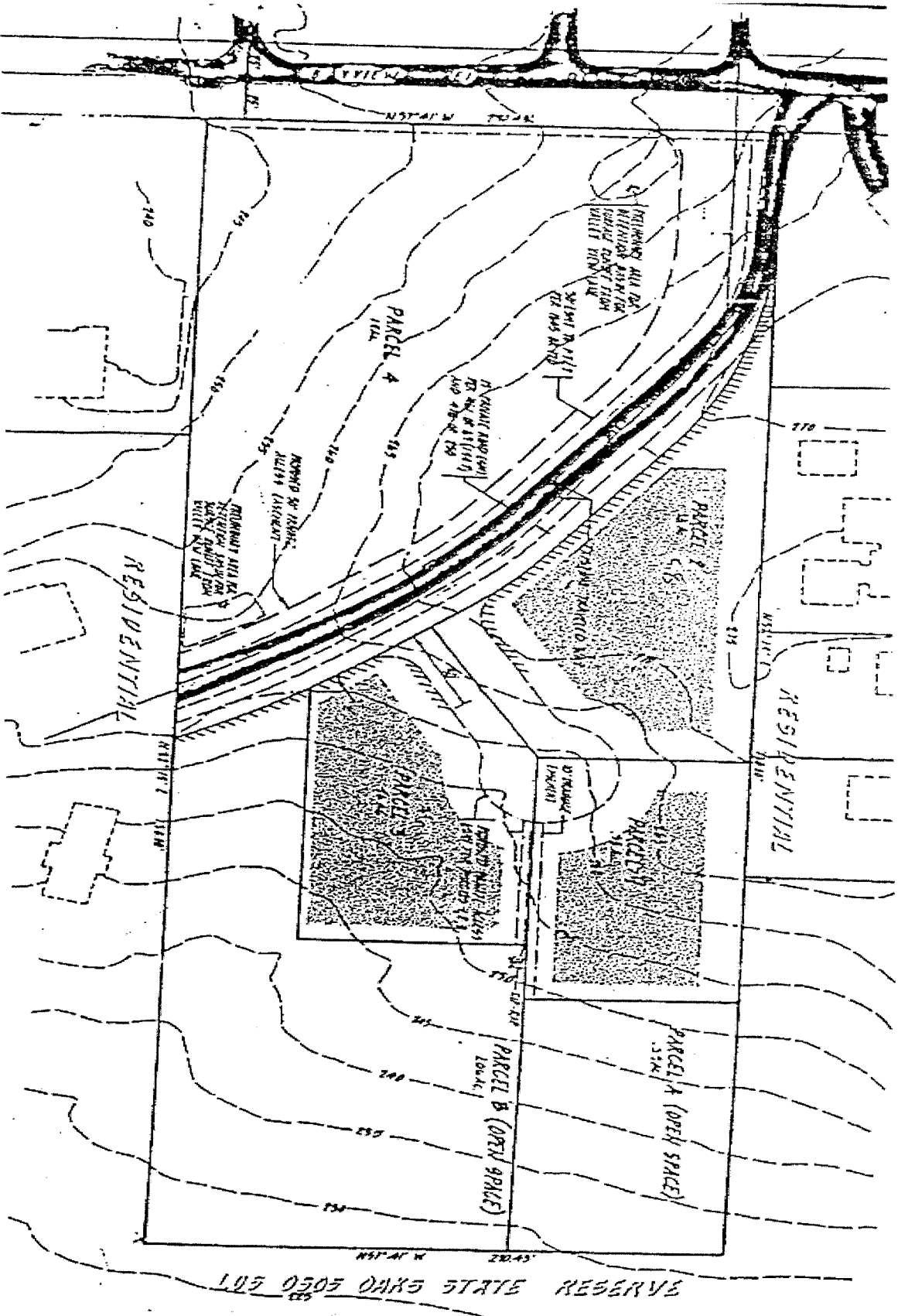
PROJECT

Minor Use Permit
STARR D010161P



EXHIBIT

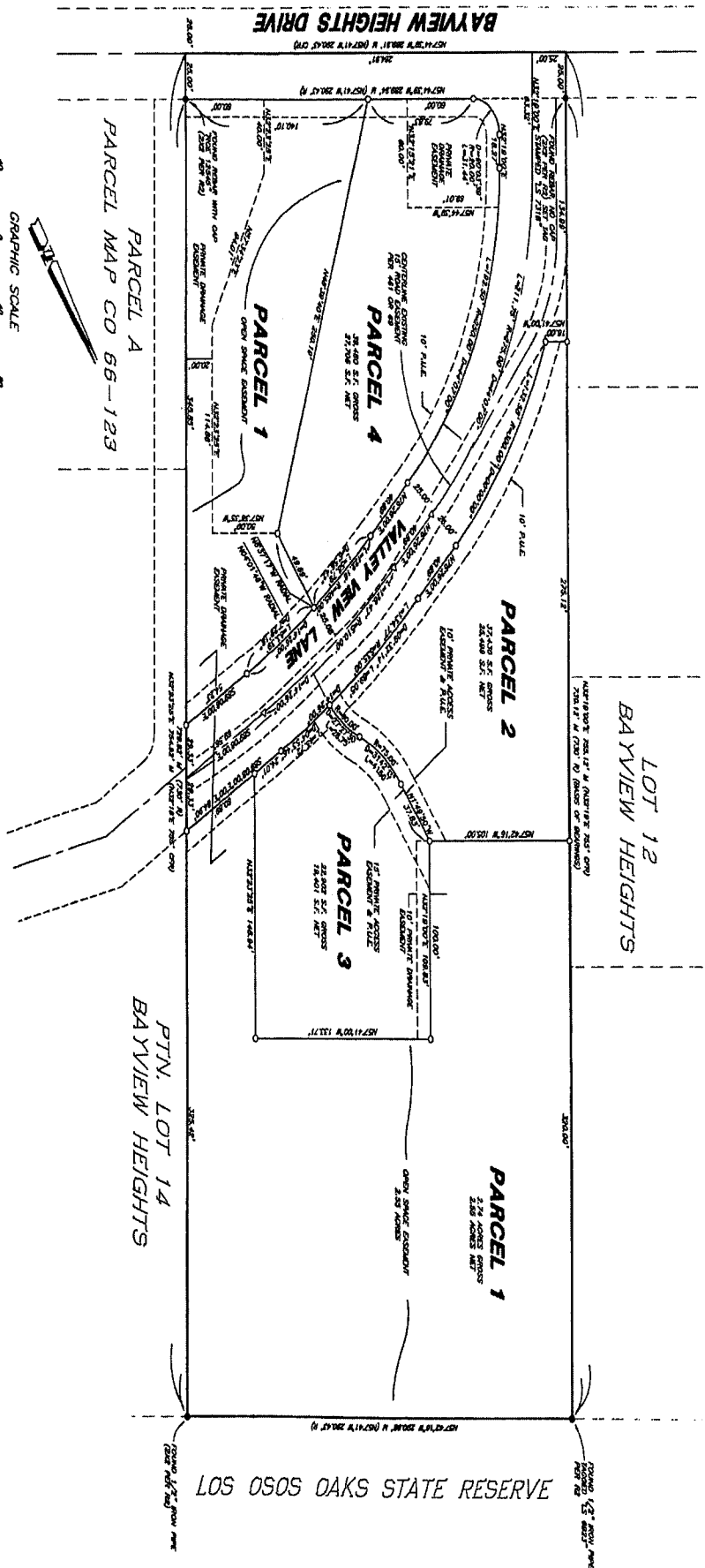
Aerial Photo



PROJECT
Minor Use Permit
STARR D010161P



EXHIBIT
Overall Site Plan



PROJECT

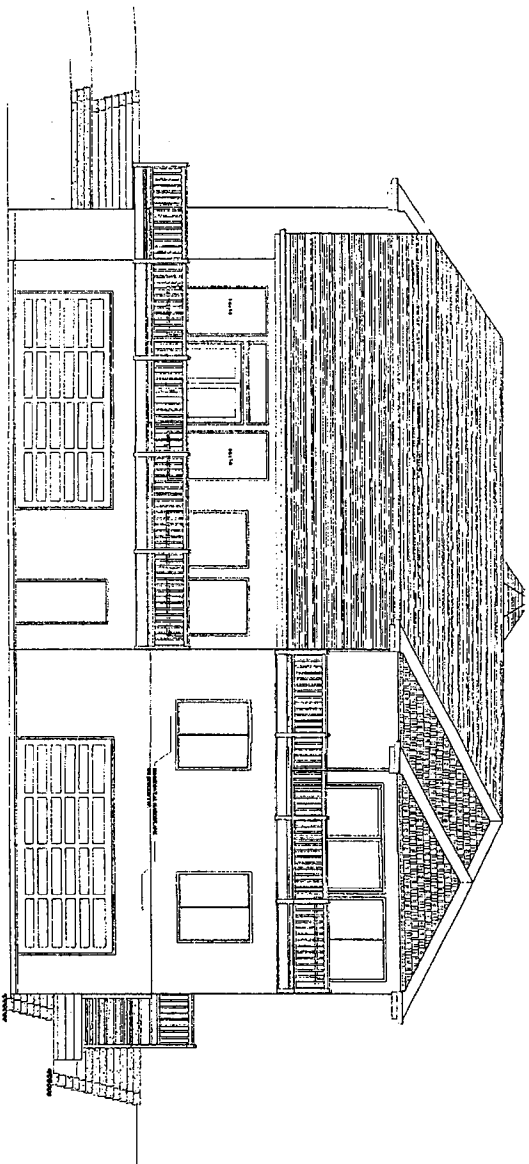
Minor Use Permit
STARR D010161P



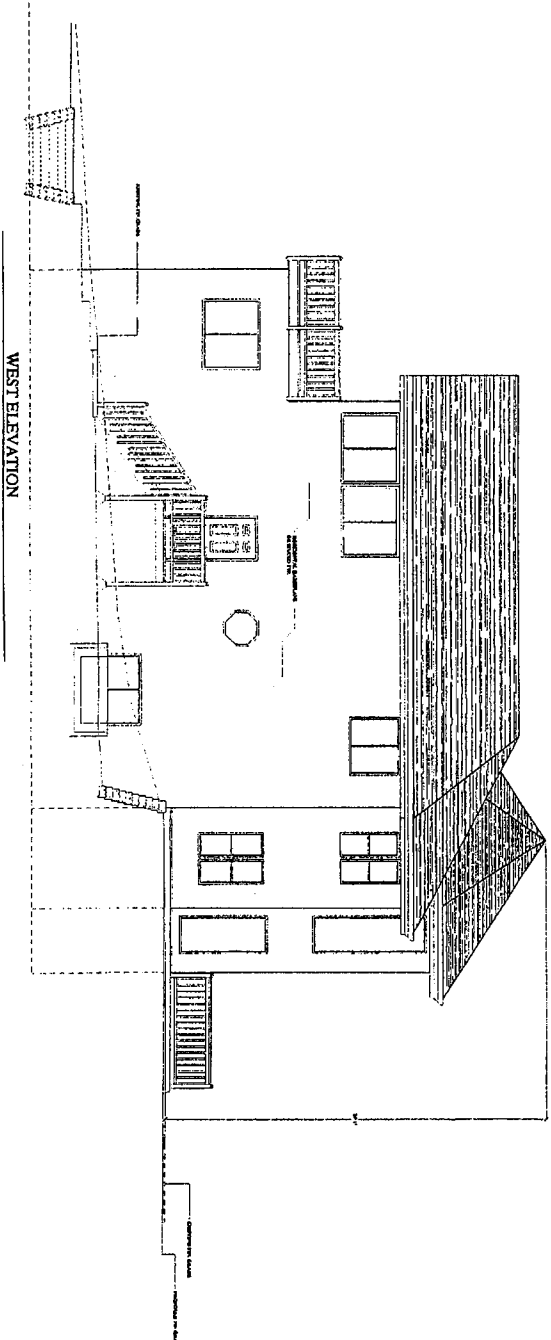
EXHIBIT

Overall Site Plan 2





NORTH ELEVATION



WEST ELEVATION

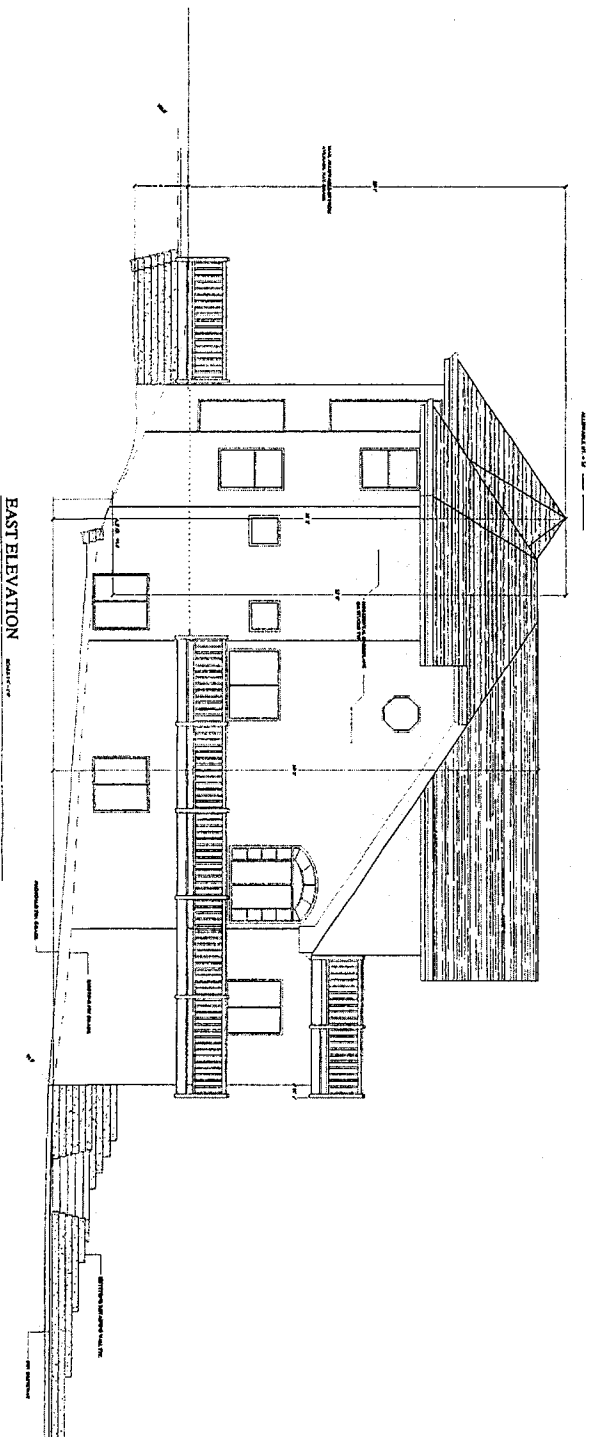
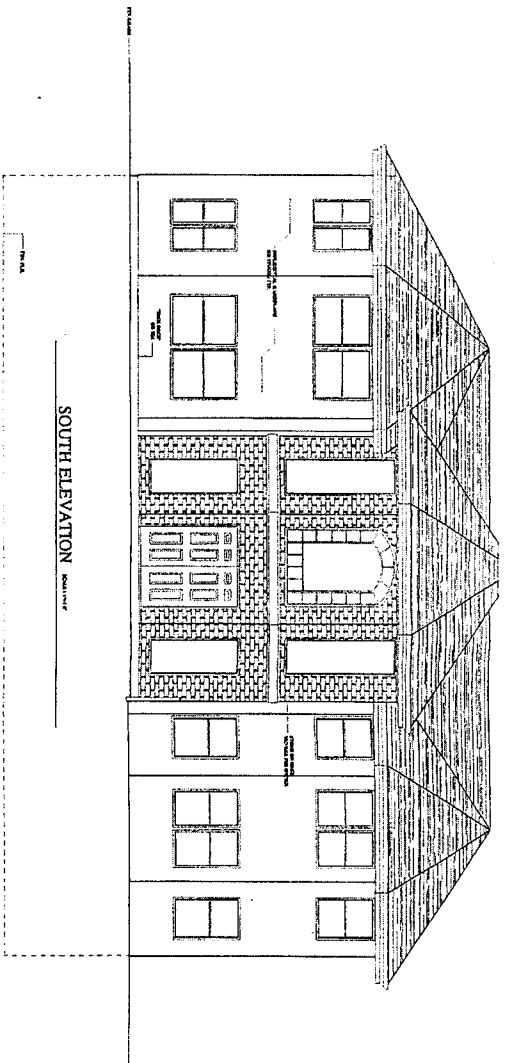
PROJECT

Minor Use Permit
STARR D010161P



EXHIBIT

Parcel 2 – North & West Elevations



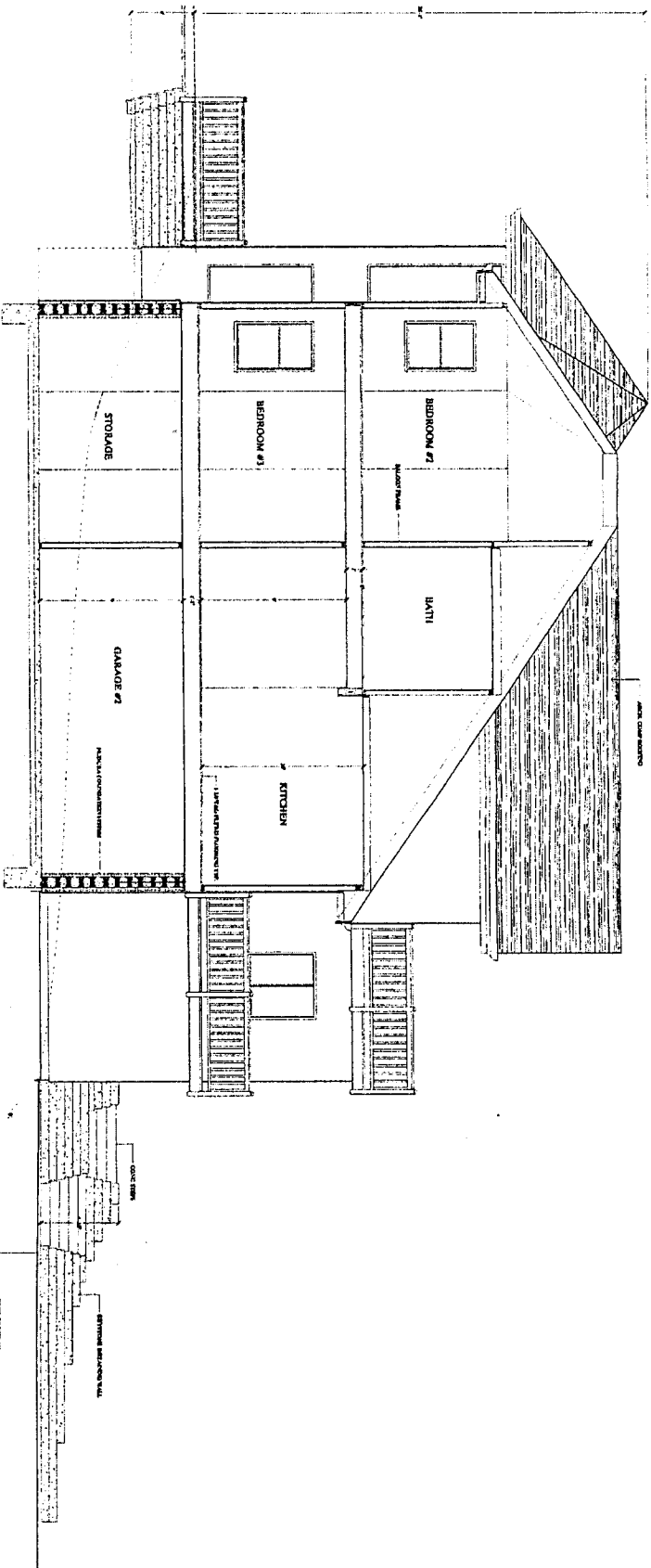
PROJECT

Minor Use Permit
STARR D010161P



EXHIBIT

Parcel 2 - South & East Elevations



PRELIMINARY SEC. M-1

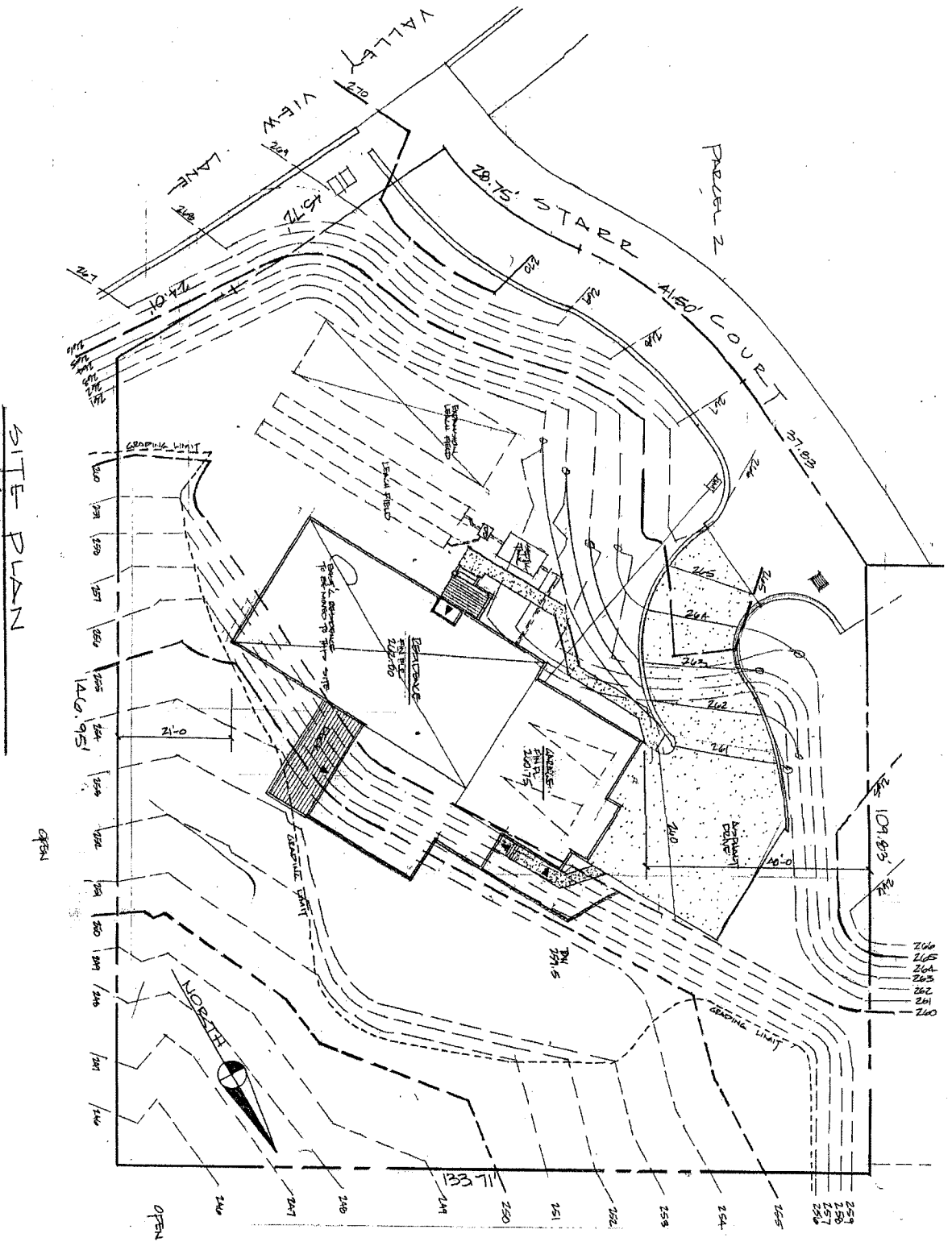
PROJECT

Minor Use Permit
STARR D010161P



EXHIBIT

Parcel 2 - Section



SITE PLAN

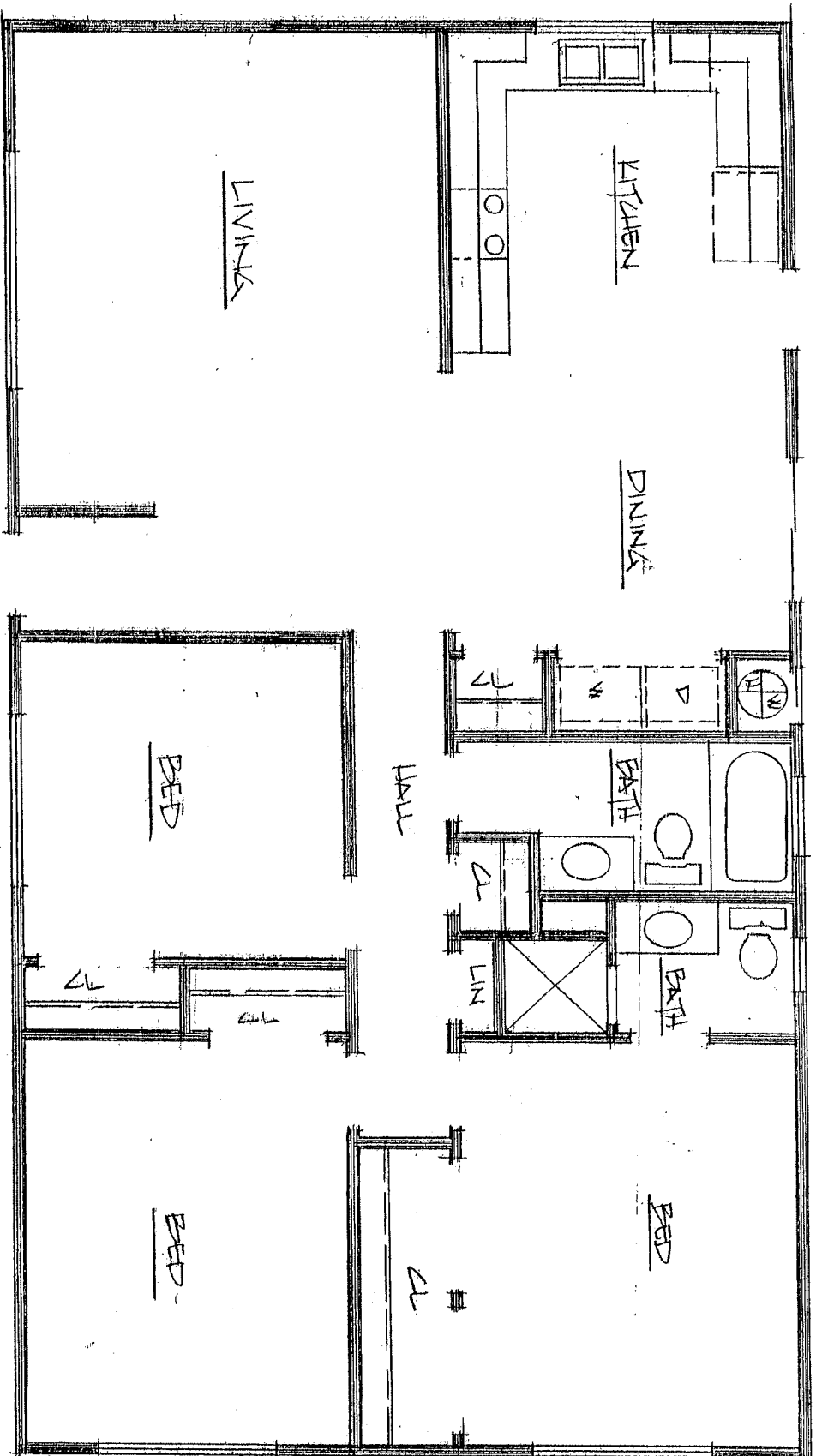
PROJECT

Minor Use Permit
STARR D010161P

EXHIBIT

Parcel 3 - Site Plan





PROJECT

Minor Use Permit
STAR RD010161P



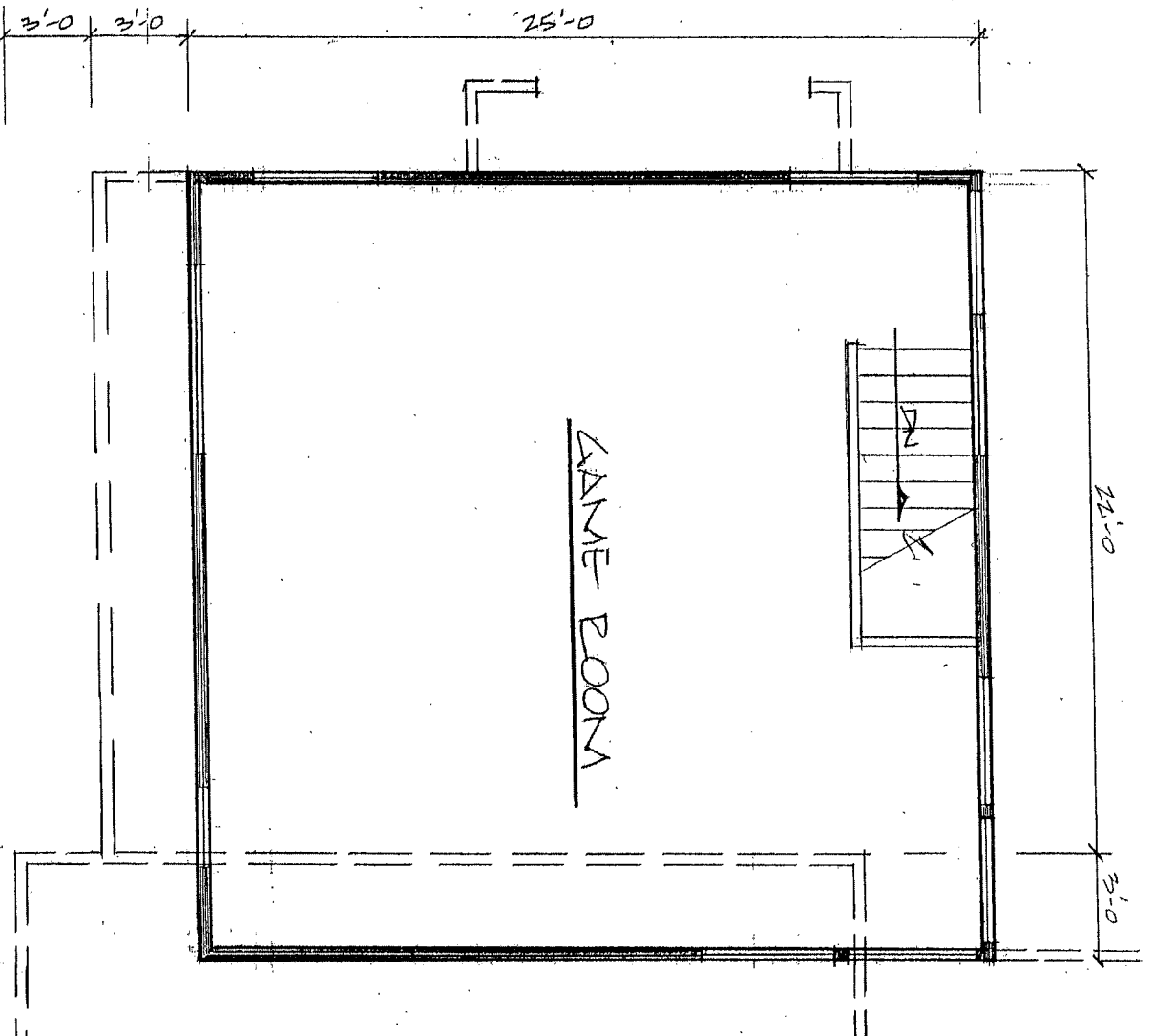
EXHIBIT

Parcel 3 - Existing Floor Plan

Minor Use Permit
STARR D010161P



Parcel 3 – New First Floor Plan



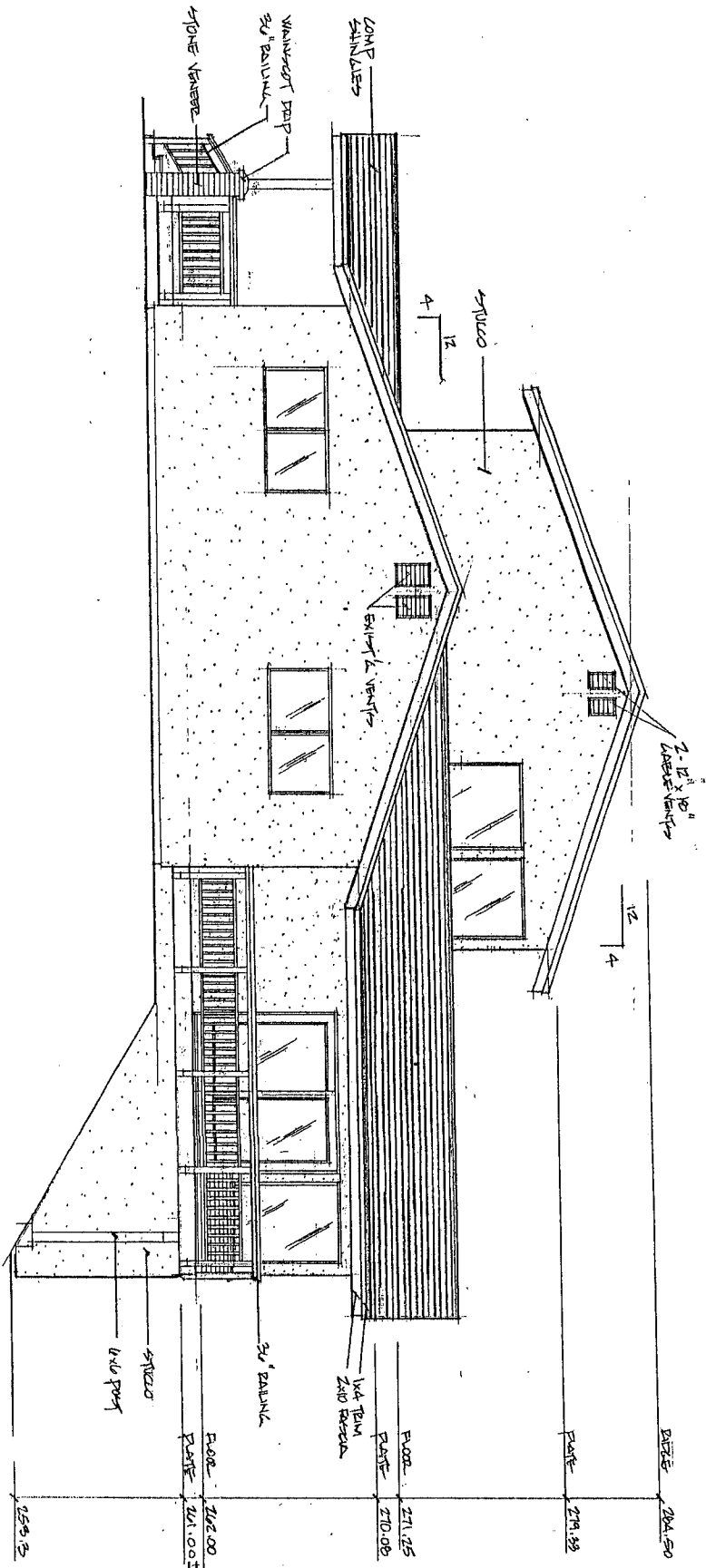
PROJECT

Minor Use Permit
STARR D010161P



EXHIBIT

Parcel 3 - New Second Floor (Addition)



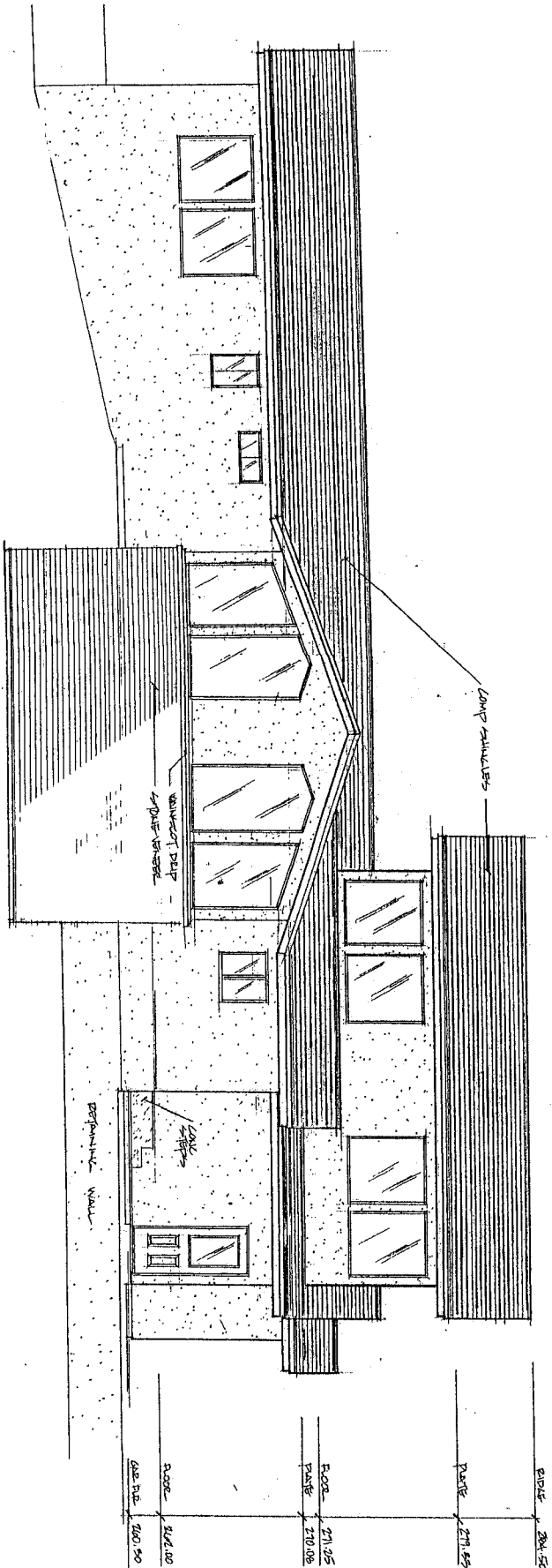
PROJECT

Minor Use Permit
STARR D010161P

EXHIBIT

Parcel 3 - East Elevation





PROJECT

Minor Use Permit
STARR D010161P

EXHIBIT

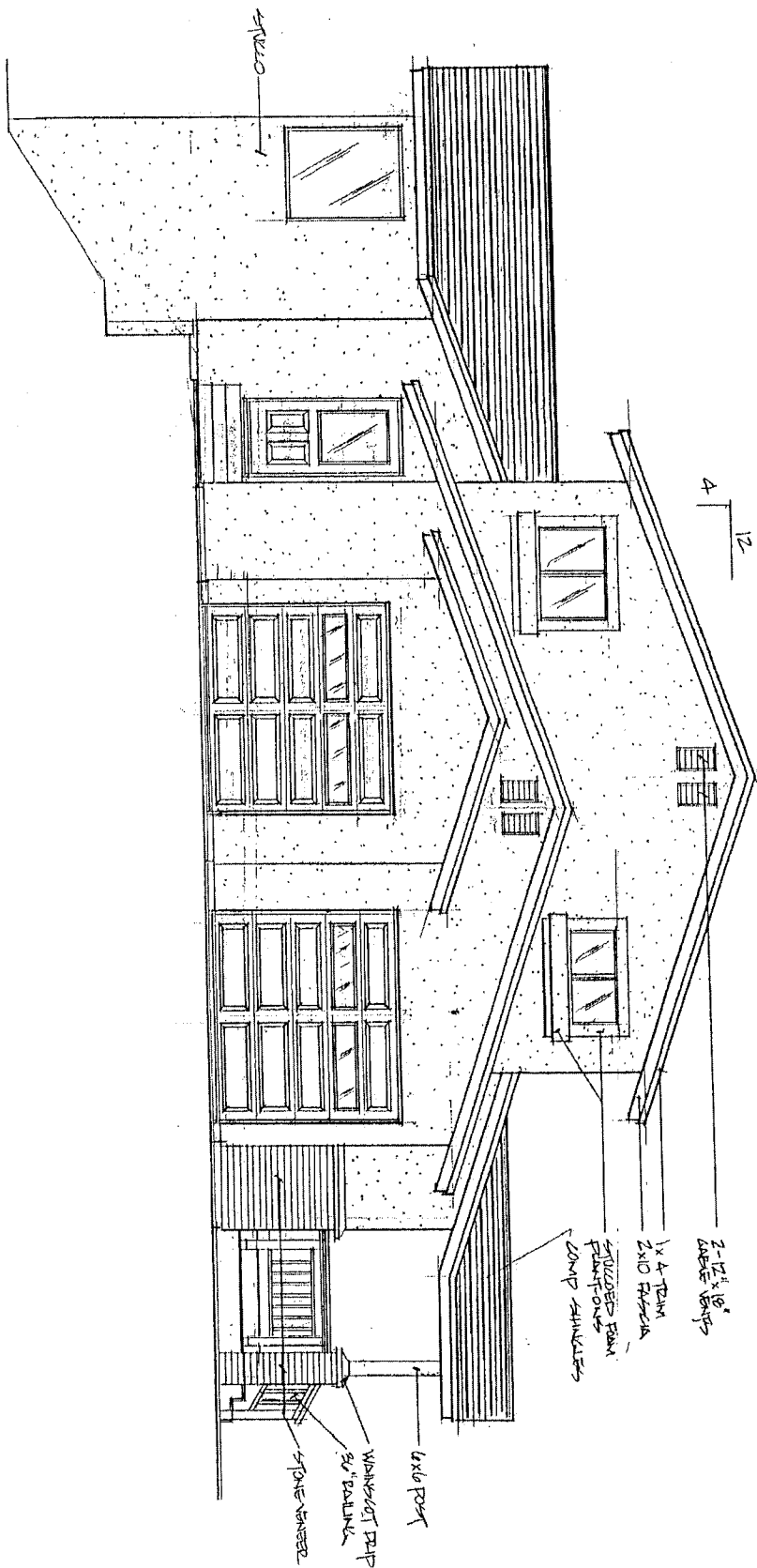
Parcel 3 - North Elevation



Minor Use Permit
STARR D010161P



Parcel 3 – South Elevation



PROJECT

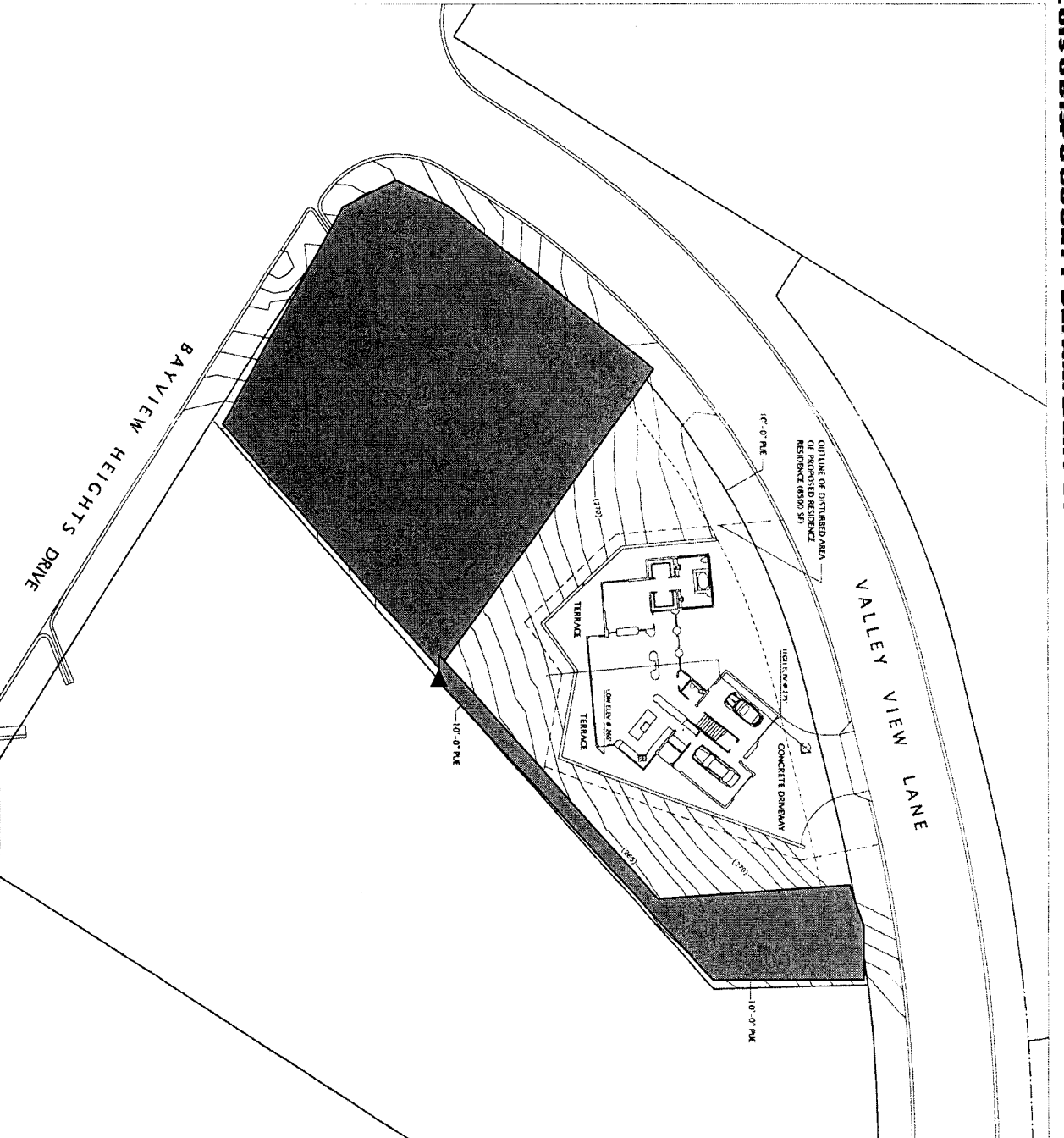
Minor Use Permit
STARR D010161P



EXHIBIT

Parcel 3 - West Elevation





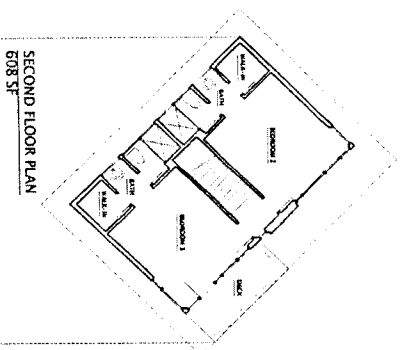
PROJECT

Minor Use Permit
STARR D010161P

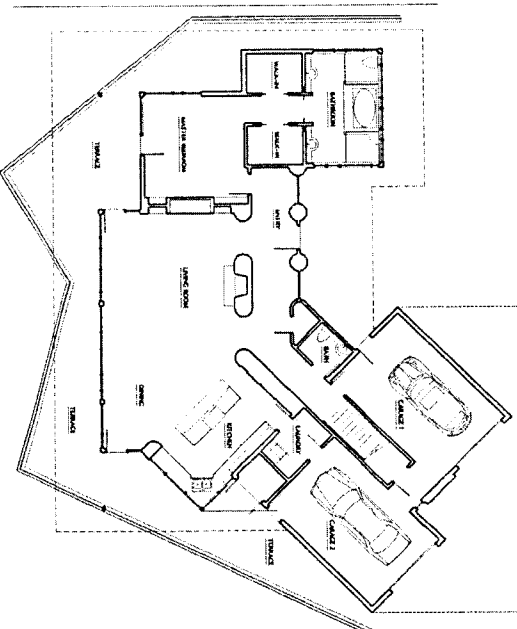
EXHIBIT

Parcel 4 – Proposed Open Space Easement



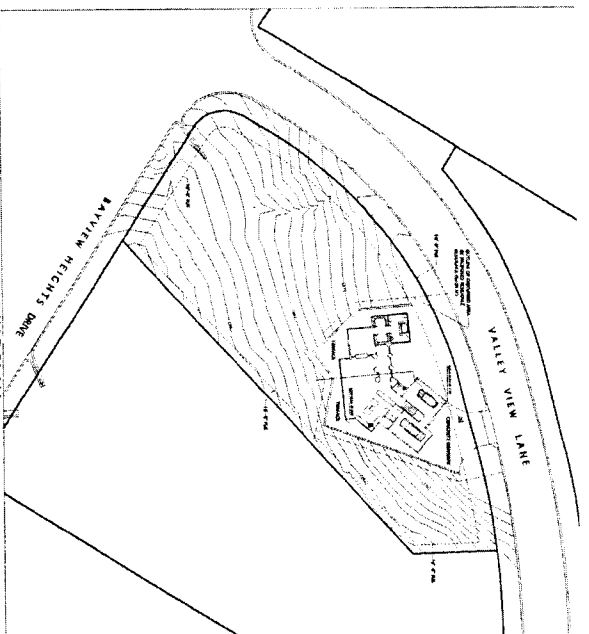


SECOND FLOOR PLAN
808 SF

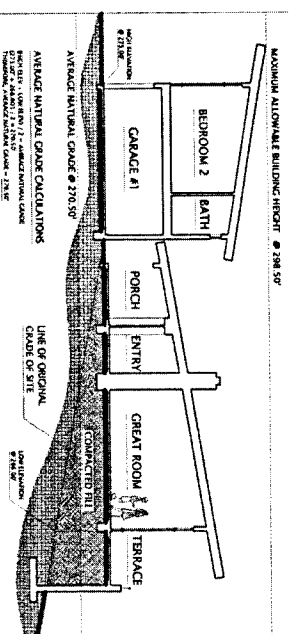


FIRST FLOOR PLAN
1985 SF

PRELIMINARY FLOOR PLANS
Scale: 1/8" = 1'-0"



PRELIMINARY SITE AND GRADING PLAN
Scale: 1/8" = 1'-0"



BUILDING / SITE SECTION "A"
Scale: 1/8" = 1'-0"

PROJECT

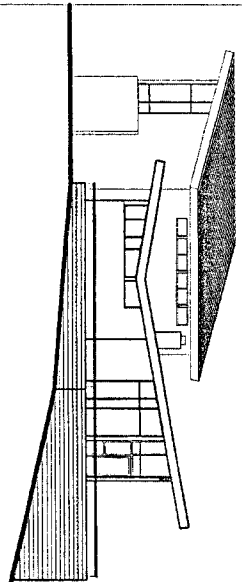
Minor Use Permit
STARR D010161P

EXHIBIT

Parcel 4 – Floor Plans, Section, & Grading

TYPICAL BUILDING EXTERIOR FINISHES

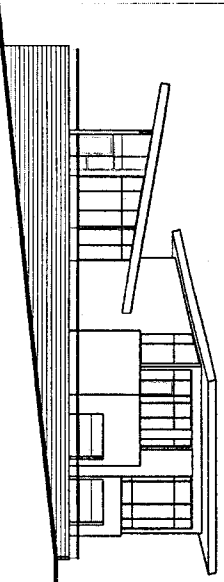
1. ALL ROOFING OF STANDING SEAM WITH PANELS, CONCRETE, GUTTER.
2. ALL EXTERIOR WALLS OF RESIDENCE OF STUCCO WITH SMOOTH FINISH, PAINTED TUSCAN YELLOW.
3. ALL WINDOWS OF CLEAR ANODIZED ALUMINUM STORAGE SYSTEM ASSEMBLY WITH GREEN TINT SOLAR GLAZING.
4. ALL TERRACE WALLS OF SPIT-FACED CONCRETE MASONRY, DARK TAN.
5. TERRACE HANDRAILS OF TURNBUDD GLASS WITH CLEAR ANODIZED ALUMINUM HANDRAIL.



PRELIMINARY WEST-FACING EXTERIOR ELEVATION
Scale: 1/8" = 1'-0"

TYPICAL BUILDING EXTERIOR FINISHES

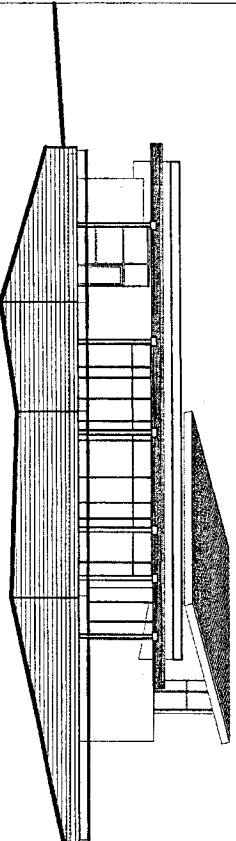
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PRELIMINARY EAST-FACING EXTERIOR ELEVATION
Scale: 1/8" = 1'-0"

TYPICAL BUILDING EXTERIOR FINISHES

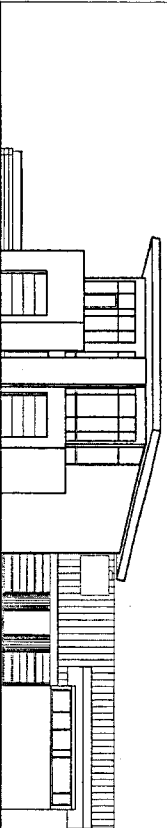
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PRELIMINARY SOUTH-FACING EXTERIOR ELEVATION
Scale: 1/8" = 1'-0"

TYPICAL BUILDING EXTERIOR FINISHES

1. ALL ROOFING OF STANDING SEAM WITH PANELS, CONCRETE, GUTTER.
2. ALL EXTERIOR WALLS OF RESIDENCE OF STUCCO WITH SMOOTH FINISH, PAINTED TUSCAN YELLOW.
3. ALL WINDOWS OF CLEAR ANODIZED ALUMINUM STORAGE SYSTEM ASSEMBLY WITH GREEN TINT SOLAR GLAZING.
4. ALL TERRACE WALLS OF SPIT-FACED CONCRETE MASONRY, DARK TAN.
5. TERRACE HANDRAILS OF TURNBUDD GLASS WITH CLEAR ANODIZED ALUMINUM HANDRAIL.



PRELIMINARY NORTH-FACING EXTERIOR ELEVATION
Scale: 1/8" = 1'-0"

PROJECT

Minor Use Permit
STARR D010161P

EXHIBIT

Parcel 4 - Elevations





COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (KB)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-528

DATE: August 25, 2005

PROJECT/ENTITLEMENT: Starr Minor Use Permit / Coastal Development Permit D010161P

APPLICANT NAME: Jeff Edwards

ADDRESS: PO Box 6070, Los Osos, CA 93412

CONTACT PERSON: Same as applicant

Telephone: 805-528-1567

PROPOSED USES/INTENT: Request by Sherman Starr et al to allow three single family residences of 6,250, 3,574 and 3,138 square feet, that has already been partially graded, and one pool, which will result in the disturbance of approximately 20,000 square feet of three parcels totaling 2.3 acres.

LOCATION: The proposed project is within the Residential Suburban land use category and is located at the intersection of Starr Lane and Valley View Lane in the community of Los Osos. The site is in the Estero planning area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: California Coastal Commission

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on September 8, 2005

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Starr Minor Use Permit D010161P ED 04-528

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics
<input type="checkbox"/> Agricultural Resources
<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources
<input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology and Soils
<input type="checkbox"/> Hazards/Hazardous Materials
<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing
<input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Wastewater
<input type="checkbox"/> Water
<input type="checkbox"/> Land Use |
|--|--|---|

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kerry Brown

Prepared by (Print)

Kerry Brown
Signature

8/16/05
Date

Steve McMasters

Reviewed by (Print)

Steve McMasters
Signature

Ellen Carroll,
Environmental Coordinator
(for)

8/16/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Sherman Starr et al to allow three single family residences of 6,250, 3,574 and 3,138 square feet, that has already been partially graded, and one pool, which will result in the disturbance of approximately 20,000 square feet of three parcels totaling 2.3 acres. The proposed project is within the Residential Suburban land use category and is located at the intersection of Starr Lane and Valley View Lane in the community of Los Osos. The site is in the Estero planning area. ED04-528 (D010161)

ASSESSOR PARCEL NUMBER(S): 074-325-064

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Estero, Los Osos

LAND USE CATEGORY: Residential Suburban

COMBINING DESIGNATION(S): None

EXISTING USES: Undeveloped

TOPOGRAPHY: Nearly level

VEGETATION: Chaparral, Morro Manzanita, coastal scrub

PARCEL SIZE: 3 parcels totaling 2.3 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Open Space; State Park	<i>East:</i> Residential Suburban; residential
<i>South:</i> Residential Suburban; residential	<i>West:</i> Residential Single Family; residential

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will not be visible from any major public roadway or silhouetting against any ridgelines as viewed from public roadways. The project is considered compatible with the surrounding uses.

Impact. No significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2.	AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The soil types include: Baywood fine sand (9-15%)

As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI" , and the "irrigated soil class is "IV".

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of approximately 20,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Morro manzanita. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: Morro manzanita (*Arctostaphylos morroensis*)[FT,SE] at northern corner of property and in multiple locations within 1 mile east and west of parcel, Jones Layia (*Layia jonesii*) app. 0.1 mile north of parcel, San Luis Obispo Monardella (*Monardella frutescens*) app 0.1 mile north of parcel, Indian Knob Mountainbalm (*Eriodictyon altissimum*) app 0.2 mile and 0.7 mile west of parcel, Splitting Yarn Lichen (*Sulcaria isidiifera*) app. 0.4 mile west of parcel, Arroyo De La Cruz Manzanita (*Arctostaphylos cruzensis*) app. 0.7 mile north of parcel.

Wildlife: Morro Bay Kangaroo Rat (*Dipodomys heermanni morroensis*), California Horned Lizard (*Phrynosoma coronatum frontale*) app. 0.1 mile north of parcel, California Red Legged Frog (*Rana aurora draytonii*) app. 0.1 mile south of parcel, Morro Shoulderband Snail (*Helminthoglypta walkeriana*) within 0.4 miles east and west of parcel, Tidewater Goby (*Eucyclogobius newberryi*) app. 0.7 mile north of parcel.

Habitats: Coastal Oak Woodland (Low 10-33% density) app. 0.1 mile south of parcel

Impact. The project site supports sensitive native vegetation and special status species.

Special Status Wildlife and Plant Species

The subject site is in the range of the Morro shoulderband snail, a federally listed species. In July 2000, the United States Fish and Wildlife Service provided concurrence that the proposed project site does not support suitable habitat for Morro shoulderband snails and there was no evidence of Morro shoulderband snails found. Thus, there was concurrence that development of the subject property is not likely to result in the take of the Morro shoulderband snail. If the development project results in unanticipated effects to listed species or in the unlikely event that Morro shoulderband snails are subsequently found at this site, the applicant shall suspend activities which could result in take and contact the United States Fish and Wildlife Service to assess any potential effects to listed species and the need for compliance with the Endangered Species Act of 1973

A Morro Manzanita Survey, conducted by LFR Levine Fricke in January 2002 and May 2005, identified the presence of maritime chaparral in an excellent, open condition on the project site. All

plants identified were natives, and the lack of non-native species is noticeable. Only one individual of the invasive Veldt grass (*Ehrharta calycina*) was found growing within the chaparral stand. The vegetation is dominated by the shrub buckbrush (*Ceanothus cuneatus*), with associated species that include black sage (*Salvia mellifera*), sticky monkey flower (*Mimulus aurantiacus*), and the federally threatened Morro manzanita (*Arctostaphylos morroensis*). The manzanitas were blooming at the time of the survey and were being pollinated by bees. No other rare plants besides Morro manzanita expected to be in maritime chaparral of Los Osos were found during the survey on the project site and the surrounding open space area. Lot 2 and 3 have designated building envelopes which were cleared as a result of the subdivision improvements and will not impact any sensitive vegetation. Lot 4 supports high quality chapperal habitat. Nine (9) mature individuals of Morro manzanita plants exist within the boundaries of the area of disturbance for lot 4 and will need to be removed as a result of the project.

In June 1996, Dr. Aryan Roest performed a Morro Bay Kangaroo Rat Survey on the subject property and concluded that there are no Morro Bay kangaroo rats on the subject site. The U.S. Department of Fish and Wildlife Service reviewed Dr. Roest's report and agreed with his conclusions.

Mitigation/Conclusion. Implementation of the following mitigation measures will reduce impacts to biological resources to insignificance:

1. The applicant understands that the proposed project is within a biologically sensitive area (*Botanical Report: Levine Fricke, January 17, 2002*). The site contains a threatened species listed under the federal Endangered Species Act (Morro manzanita; *Artostaphylos morroensis*). In an effort to mitigate for the direct loss of (9) four Morro manzanita plants, the applicant agrees to implement the following mitigation measures: the nine manzanita plants lost as a result of the project shall be replaced at a 5:1 ratio. A total of **45** new Morro manzanita plants shall be planted on-site for long term replacement and habitat enhancement. The new plants shall be actively maintained throughout the life of the five years monitoring period (see developer's statement).
2. Prior to construction activities for parcel #4, a disturbance control line shall be established with 4 foot high orange barrier fencing with metal T-posts every 8 feet along the southerly limit of the building envelope. All other manzanita within 50 feet of the project area shall be fenced-off from ground disturbing activities during the entire construction period. The fencing shall be strong enough to withstand minor impacts from construction equipment.
3. Prior to commencing with manzanita replacement, the applicant shall remove the exotic (non-native) plants from the subject property. Areas of unprotected soil shall be re-seeded with a native plant mix (or landscape materials) sufficient to protect exposed soil areas from erosion due to wind or water. 2.q
4. A Monitoring Plan for parcel #4 shall be implemented for 5 years.
5. To ensure the continuance of the native habitat, prior to issuance of a building permit for parcel 4, the applicant shall enter into an open-space agreement in a form approved by County Counsel for the area shown on Exhibit A encompassing Morro manzanita.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. A Phase I surface survey was conducted (Robert O. Gibson in February, 1984). The results of the survey found that portions of Valley View Lane and the proposed homesite for parcel 4 is located within archaeological site CA-SLO-1081. The map within Gibson's report estimates the archaeological site's size to be approximately 0.65 acres. According to Gibson's study, the original grading of Valley View Lane, which occurred prior to 1984, destroyed a portion of the archaeological site. However, the remaining archaeological site outside the roadway alignment appears to be largely intact. In 1984, a previous owner of the subject property had proposed a realignment of Valley View Lane which would have further impacted the archaeological site. Gibson's report was originally intended to review those potential adverse impacts. As part of the mitigation for the proposed road alignment, approximately three to five percent of CA-SLO-1081 was excavated and analyzed by an archaeologist. The excavation represented approximately 10 percent of the total area within CA-SLO-1081 which would have been disturbed by the previous road alignment. However, after the required archaeological excavation work had been completed, the applicant withdrew their proposal, for unknown reasons.

Valley View Lane was installed as a part of the improvements associated with subdivision CO 95-055. Minimal disturbance to the archaeological site is expected, due to the proposed new residences. Nevertheless, to mitigate any further potential adverse impacts to CA-SLO-1081, the applicant has agreed to having a qualified archaeologist monitor all grading work associated with the new residences. If any archaeological resources are unearthed during grading for the residence, work shall stop to allow an evaluation by the archaeologist. The applicant has agreed to implement all recommendations of the archaeologist.

Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. The project will be required to incorporate the following measures to reduce potentially significant impacts to cultural resources to less than significant levels:

1. All grading and earth disturbing activities on the subject property shall be monitored by a qualified archaeologist. (See Mitigation summary)

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered high. .

Active faulting is known to exist near the subject property app. 0.1 mile south. The project is not within a known area containing serpentine or ultramafic rock or soils.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek is Los Osos Creek and it is located .2 miles from the proposed to the south. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION - The soil types include:
Baywood fine sand (9-15%)

(coastal)

As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility, and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. As proposed, the project will result in the disturbance of approximately 20,000 square feet.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences).

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
 or result in the need for new or
 altered public services in any of the
 following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (South Bay) is approximately 1 miles to the west. The closest Sheriff substation is in Los Osos, which is approximately 1.3 miles from the proposed project. The project is located in the San Luis Coastal Unified School District.

Impact. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs, and road fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road(s): Starr Lane, Valley View Lane, and Bayview Heights Drive. The identified roadway is operating at acceptable levels. Referrals were sent to Public Works/Caltrans. No significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 30 trips per day, based on the Institute of Traffic Engineer's manual of 10 trips/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

Mitigation/Conclusion This project, along with numerous others in the area will have a cumulative effect on roads. South Bay road fees have been adopted to address this impact and will reduce the cumulative impact to a level of insignificance.

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located in the community of Los Osos. In 1988, the California Regional Water Quality Control Board imposed a moratorium on new sources of sewage discharge in the community of Los Osos. In 1999, exemptions to the moratorium in the Bayview Heights and Martin Tract areas of Los Osos were allowed provided parcels met certain criteria.

Impact. The project proposes an on-site system. Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type is Baywood fine sand. This soil is not identified as having soil percolation limitations for a standard on-site septic system and combined with gently sloping areas and deeper soils presents minimal potential for septic system failures or groundwater contamination.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Implementation of the following mitigation measures will reduce potential wastewater impacts to less than significant levels:
Prior to building permit issuance, the applicant shall provide documentation that an exemption from the Regional Water Quality Control Board has been granted for all three parcels.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. WATER - *Will the project:*

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

f) *Other:* _____

☐☐☐☐

Water Usage and Quality - Setting. Water is to be provided by a community system. Cal Cities Water, is the the water purveyor for this part of Los Osos. The water source is the Los Osos groundwater basin.

The Estero Area Plan, adopted in 1988, identified a possible Level of Severity II for water supply in Los Osos because water consumption was approaching the estimated safe yield of the Los Osos Valley groundwater basin. The Plan also established "interim service capacity allocation" planning area standards for water use that are to remain in effect until a resource capacity study provides more current information regarding the basin's safe yield.

Groundwater production from the basin overall has exceeded the basin yield in eight years since 1985. Production increased steadily from 1978 to 1988 when the Regional Water Quality Control Board imposed a prohibition on new septic system discharges. Water production has remained stable since then; however, it has been distributed in such a way as to cause excessive pumpage in some areas, resulting in seawater intrusion in the vicinity of Pecho Road. In other areas, pumpage has not been sufficient to offset recharge of wastewater from on-site septic systems, resulting in rising water levels.

A consultant study jointly sponsored by the Los Osos water purveyors resulted in the calibration of the previous USGS computer model of the basin. Use of that model in conjunction with other analytical methodologies resulted in a revised estimate of safe yield for the groundwater basin, as reported in the *Los Osos Community Services District Water Master Plan*, August 2002. Under that plan, the safe yield of the groundwater basin, both with and without a community wastewater system, was estimated to exceed total existing demand (agricultural, private rural wells, and urban domestic) within the groundwater basin. However, when compared to estimated demand at buildout under the Board of Supervisors-approved Estero Area Plan (not yet in effect), safe yield without a community wastewater system was estimated to be less than estimated future demand, while with a community wastewater system, safe yield was estimated to be roughly in balance with future demand. Based on those conclusions, together with estimates of when groundwater capacity might be reached, the latest annual report of the Resource Management System recommends no level of severity for the Los Osos groundwater basin.

Recently, Cleath & Associates prepared a draft *Water Management Plan for the Los Osos Valley Groundwater Basin*, dated May 2005, for the Los Osos Community Services District. The purpose of that plan is to identify water management strategies to achieve a water supply that can sustain future buildout of the community. The plan lowered previous estimates of safe yield of the groundwater basin by about 300 acre-feet per year in order to allow for recovery of the lower aquifer to the extent that seawater intrusion ceases. As a result, the plan estimates that the safe yield of the basin without a wastewater project is 3,250 acre-feet per year, and safe yield with the proposed wastewater project would be 3,630 acre-feet per year. Given that total existing demand (agricultural, private rural wells, and urban domestic) within the groundwater basin is estimated at 3,380 acre-feet per year, the new information means that the groundwater basin is currently in overdraft. With implementation of the proposed wastewater project, the resulting increase in safe yield would eliminate the current overall basin overdraft, but it would not resolve the seawater intrusion concern, and would not provide a supply that would sustain the estimated water demand at buildout under the proposed Estero update (estimated to be 4,000 acre-feet per year by the August 2002 *Los Osos Community Services District Water Master Plan*). The estimated difference (shortfall) between safe yield and demand at buildout would be 370 acre-feet per year, assuming construction of the proposed wastewater project.

However, that shortfall could be significantly reduced through wastewater reuse and additional conservation programs, according to the draft *Water Management Plan*.

The topography of the project is nearly level. The closest creek (Los Osos Creek) from the proposed development is approximately 0.2 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Impact. As proposed, the project will result in the disturbance of approximately 20,000 square feet. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 2.55 acre feet/year (AFY)

$$3 \text{ residential lots } (0.85 \text{ afy} \times 3 \text{ lots}) = 2.55 \text{ afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Since, this study is in draft form and the proposed project is for development of three residences on existing parcels staff has concluded the project will not impact water quantity.

Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The proposed project is within the area proposed for a community-wide (for Los Osos) Habitat Conservation Plan area for protection of habitat for the Morro shoulderband snail. The project will not impact the Morro shoulderband snail and therefore be consistent with the community-wide habitat conservation plan.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	None
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Los Osos Community Advisory Council</u>	Attached
<input type="checkbox"/>	Other _____	Not Applicable

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Estero Area Plan and Update EIR
<u>County documents</u>	<input checked="" type="checkbox"/> Los Osos Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input checked="" type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

☒ Other documents

Los Osos Community Services District Water Master Plan, August 2002, John L. Wallace & Associates in association with Cleath & Associates

Draft Water Management Plan for the Los Osos Valley Ground Water Basin, May 2005, Cleath & Associates

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Jones and Stokes Snail Survey 2/27/98

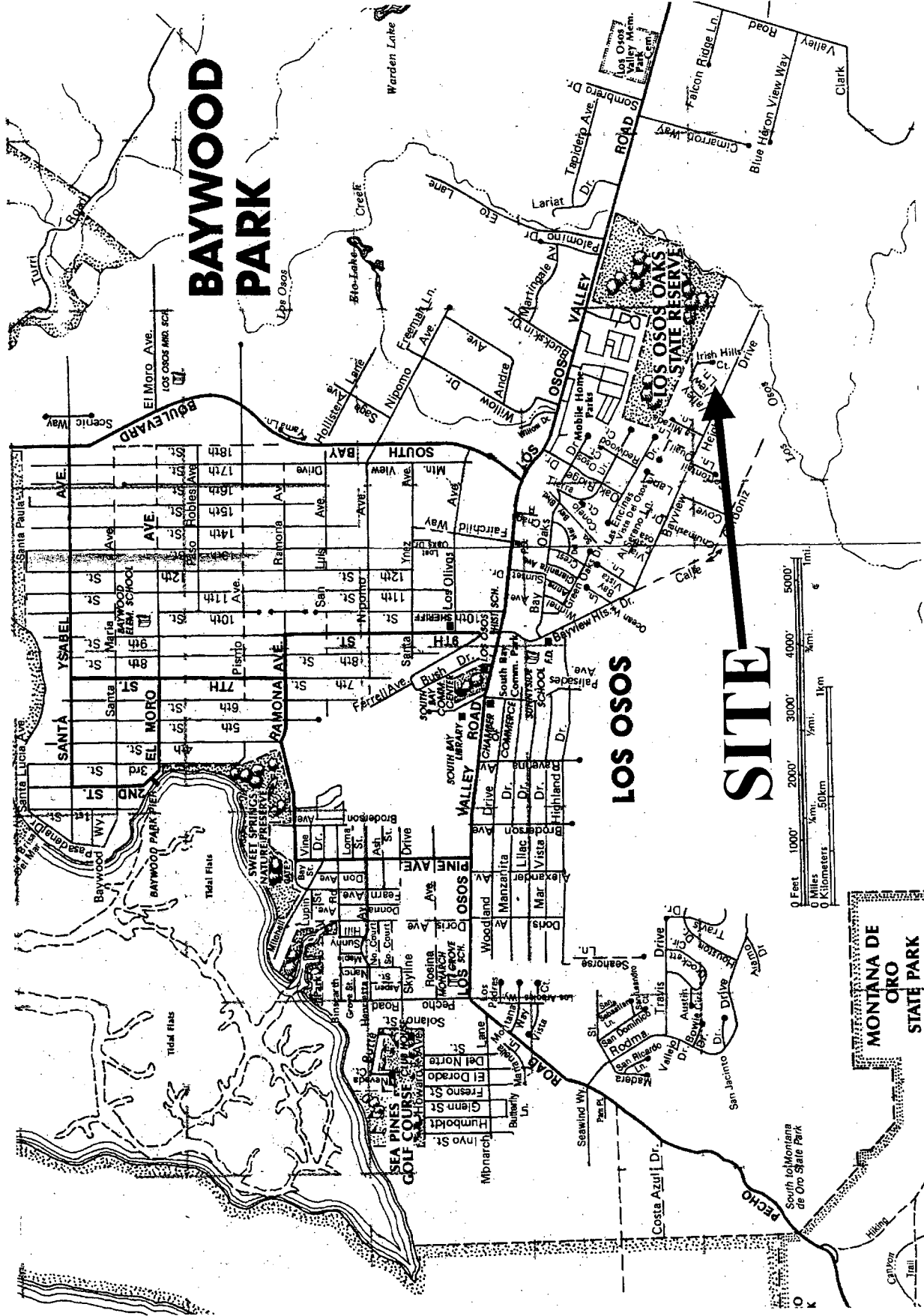
LFR Levine Fricke Morro Manzanita Survey 1/17/02

Cultural Resources Report Robert O. Gibson in February, 1984

Exhibit B - Mitigation Summary Table

- BR-1 The applicant understands that the proposed project is within a biologically sensitive area (*Botanical Report: Levine Fricke, January 17, 2002*). The site contains a threatened species listed under the federal Endangered Species Act (Morro manzanita; *Artostaphylos morroensis*). In an effort to mitigate for the direct loss of (9) four Morro manzanita plants, the applicant agrees to implement the following mitigation measures: the nine manzanita plants lost as a result of the project shall be replaced at a 5:1 ratio. A total of **45** new Morro manzanita plants shall be planted on-site for long term replacement and habitat enhancement. The new plants shall be actively maintained throughout the life of the five years monitoring period (see developer's statement).
- BR-2 Prior to construction activities, a disturbance control line shall be established with 4 foot high orange barrier fencing with metal T-posts every 8 feet along the southerly limit of the building envelope. All other manzanita within 50 feet of the project area shall be fenced-off from ground disturbing activities during the entire construction period. The fencing shall be strong enough to withstand minor impacts from construction equipment.
- BR-3 **Prior to commencing with manzanita replacement**, the applicant shall remove the exotic (non-native) plants from the subject property. Areas of unprotected soil shall be re-seeded with a native plant mix (or landscape materials) sufficient to protect exposed soil areas from erosion due to wind or water. 2.q
- BR-4 A Monitoring Plan shall be implemented for 5 years.
- BR-5 **Prior to issuance of a building permit** the applicant shall enter into an open-space agreement in a form approved by County Counsel for the area shown on Exhibit A encompassing Morro manzanita.
- CR-1 **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
- A. List of personnel involved in the monitoring activities;
 - B. Description of how the monitoring shall occur;
 - C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - D. Description of what resources are expected to be encountered;
 - E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - F. Description of procedures for halting work on the site and notification procedures;
 - G. Description of monitoring reporting procedures.
- CR-2. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.

- CR-3. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.



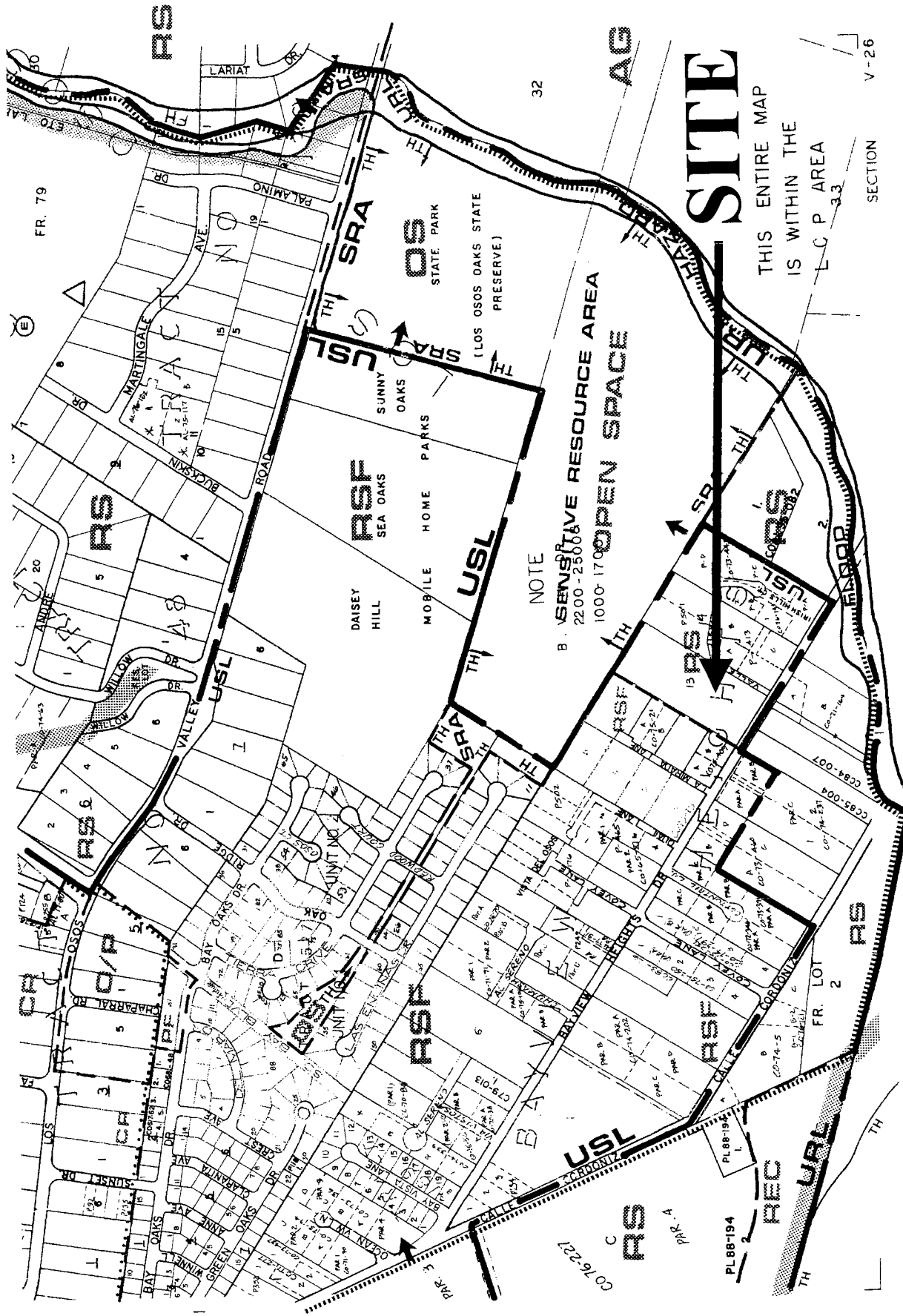
EXHIBIT

Vicinity Map



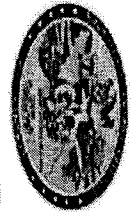
PROJECT

Minor Use Permit
STARR D010161P



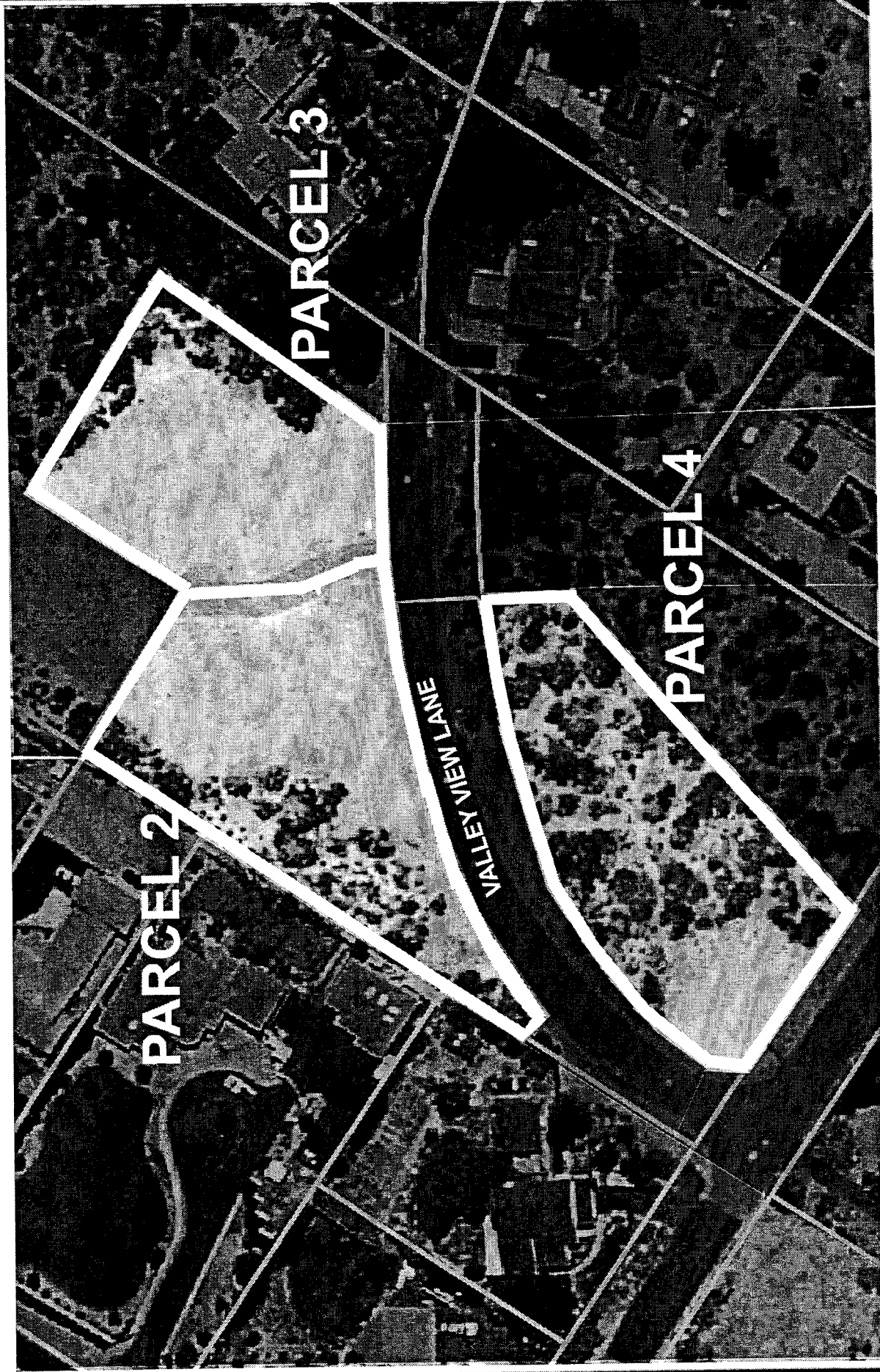
EXHIBIT

Land Use Map



PROJECT

Minor Use Permit
STARR D010161P



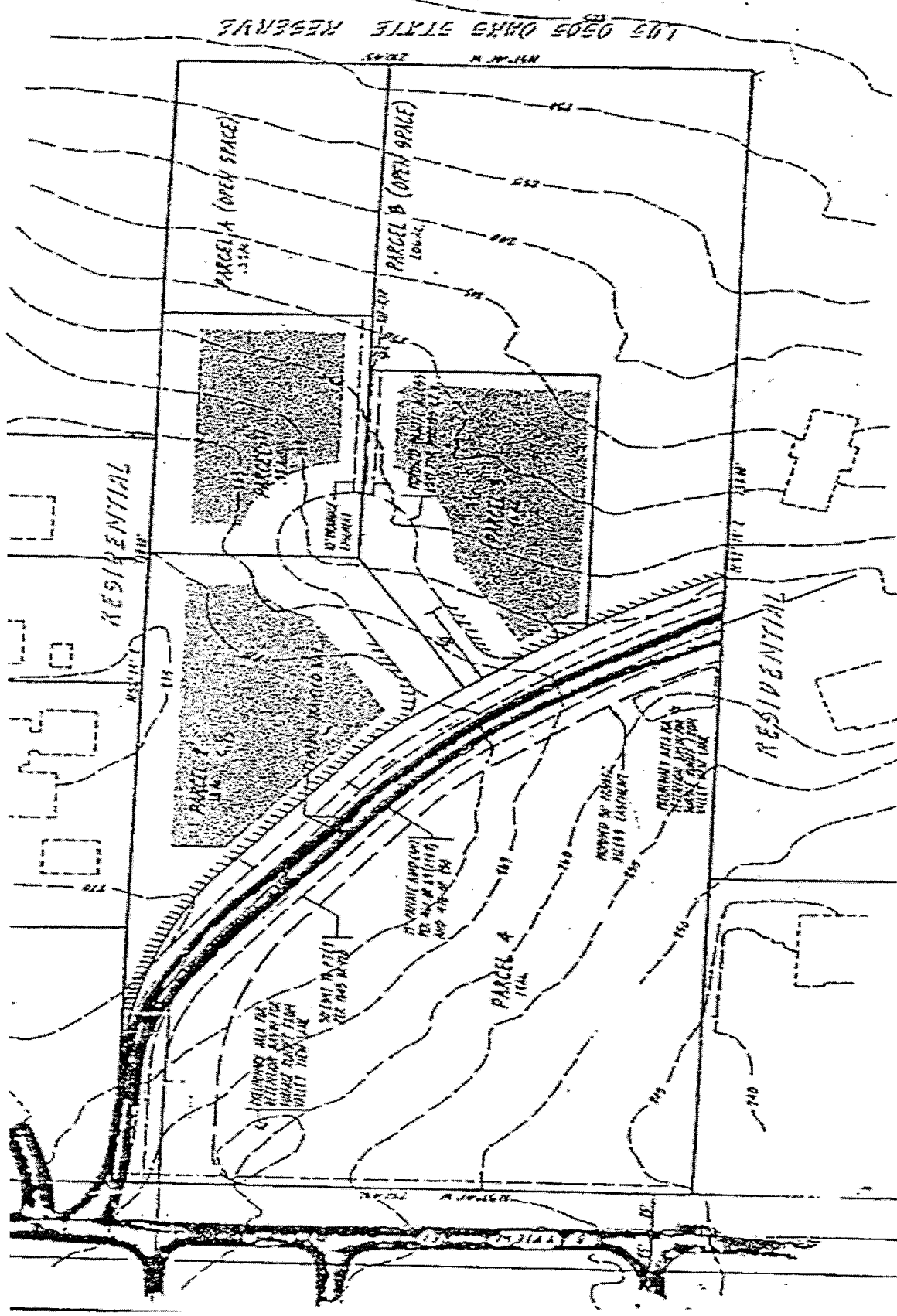
EXHIBIT

Aerial Photo



PROJECT

Minor Use Permit
STARR D010161P



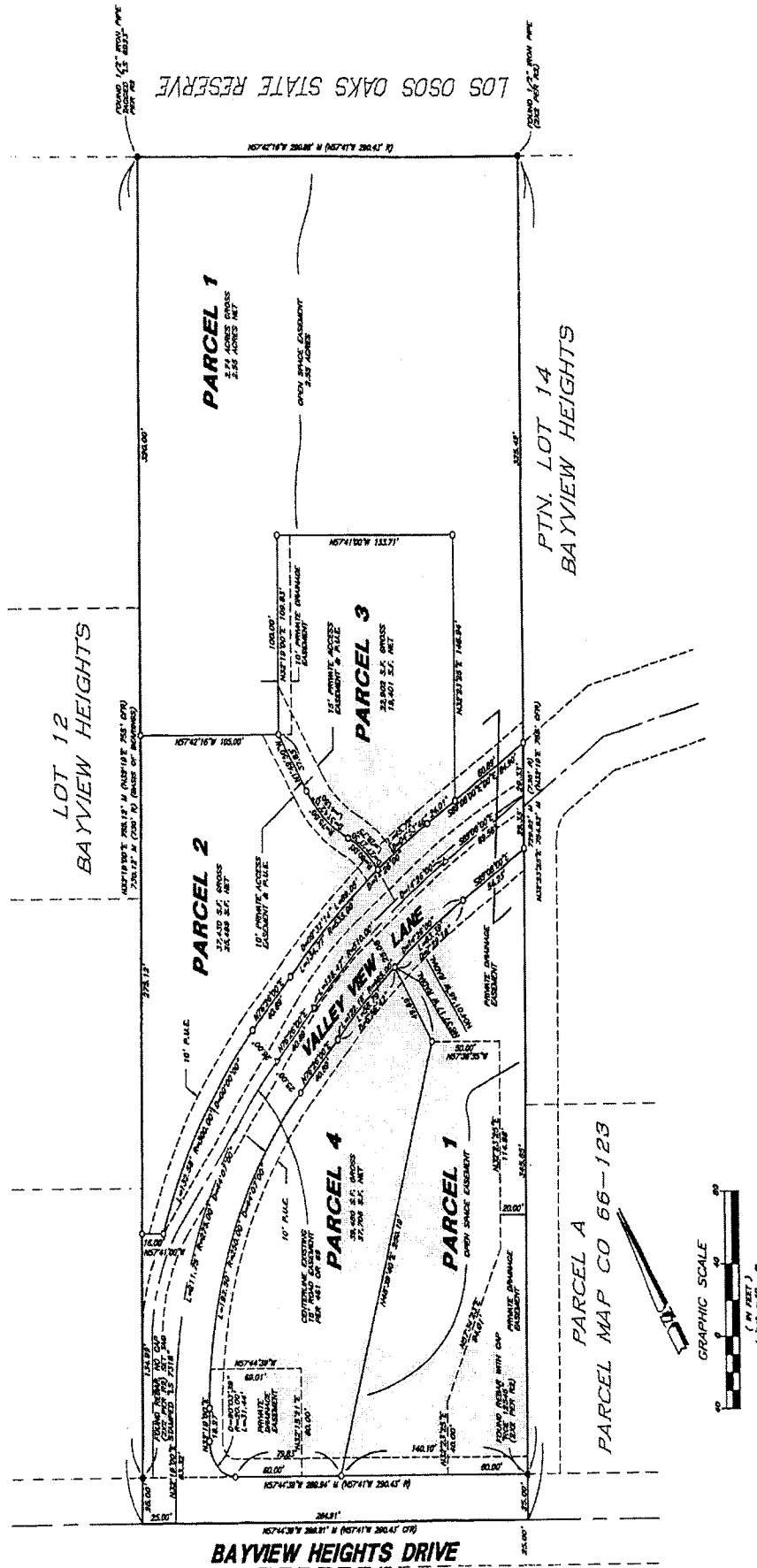
EXHIBIT

Overall Site Plan



PROJECT

Minor Use Permit
STARR D010161P



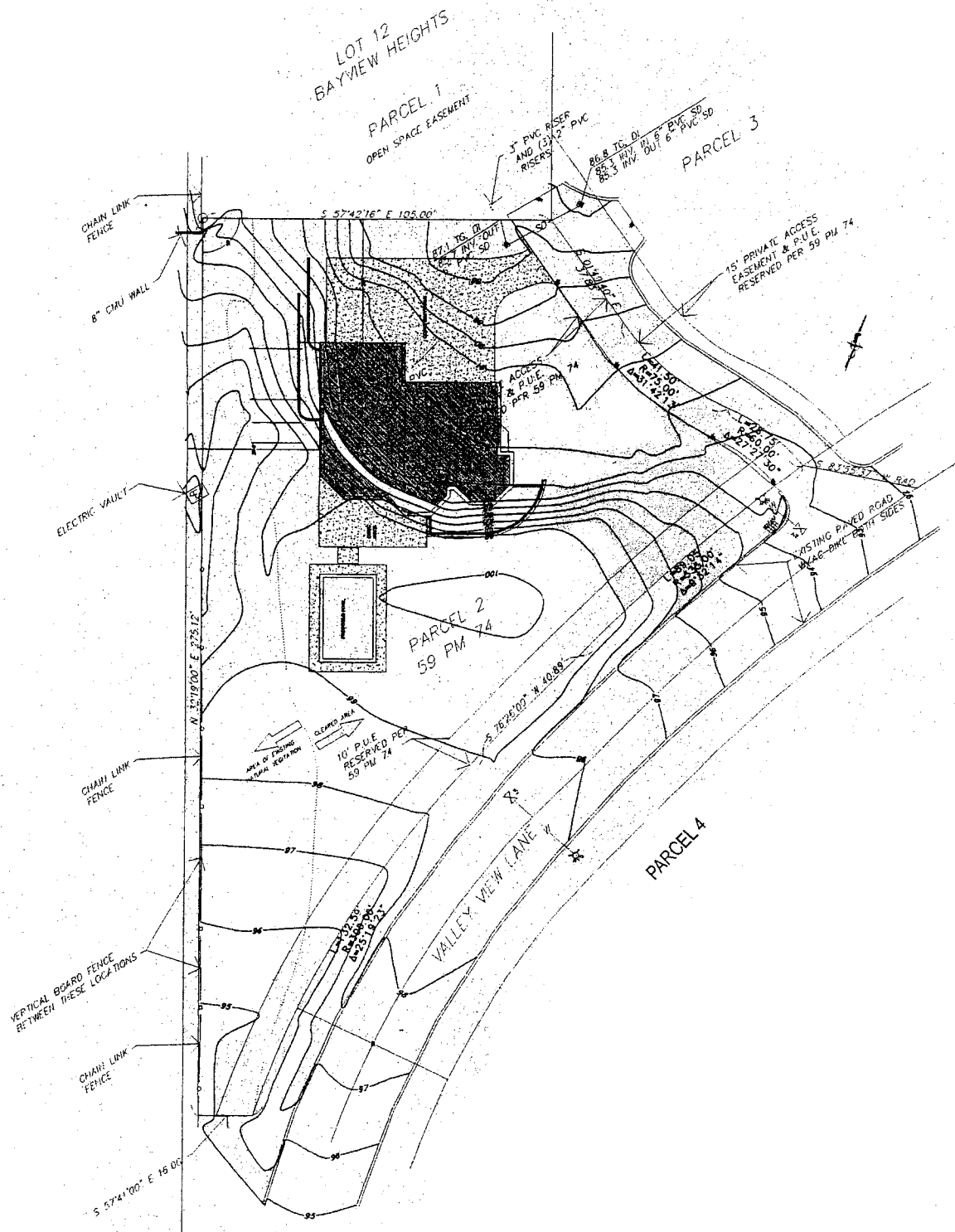
EXHIBIT

Overall Site Plan 2



PROJECT

Minor Use Permit
STARR D010161P



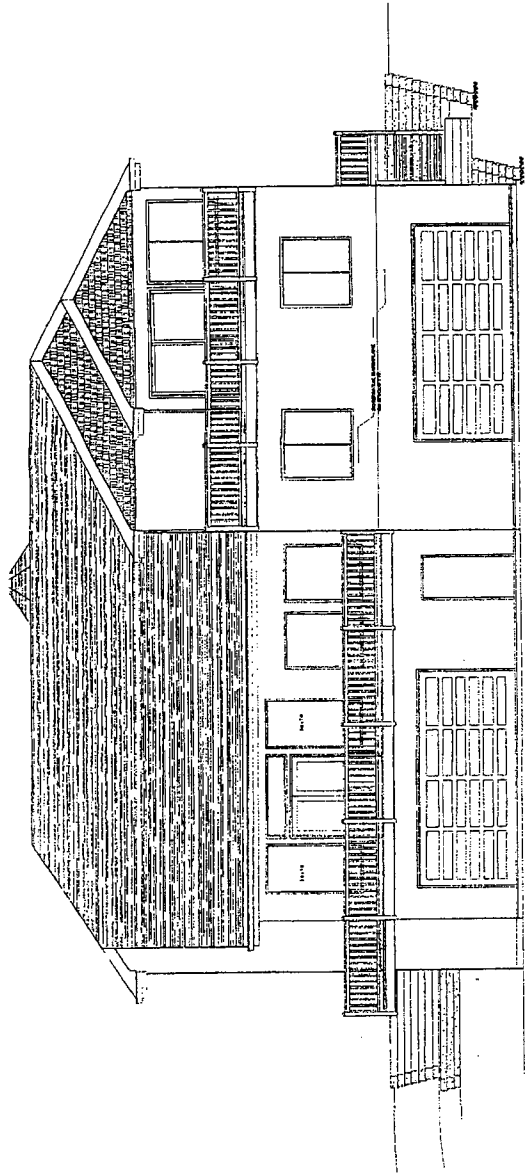
EXHIBIT

Parcel 2 - Site Plan

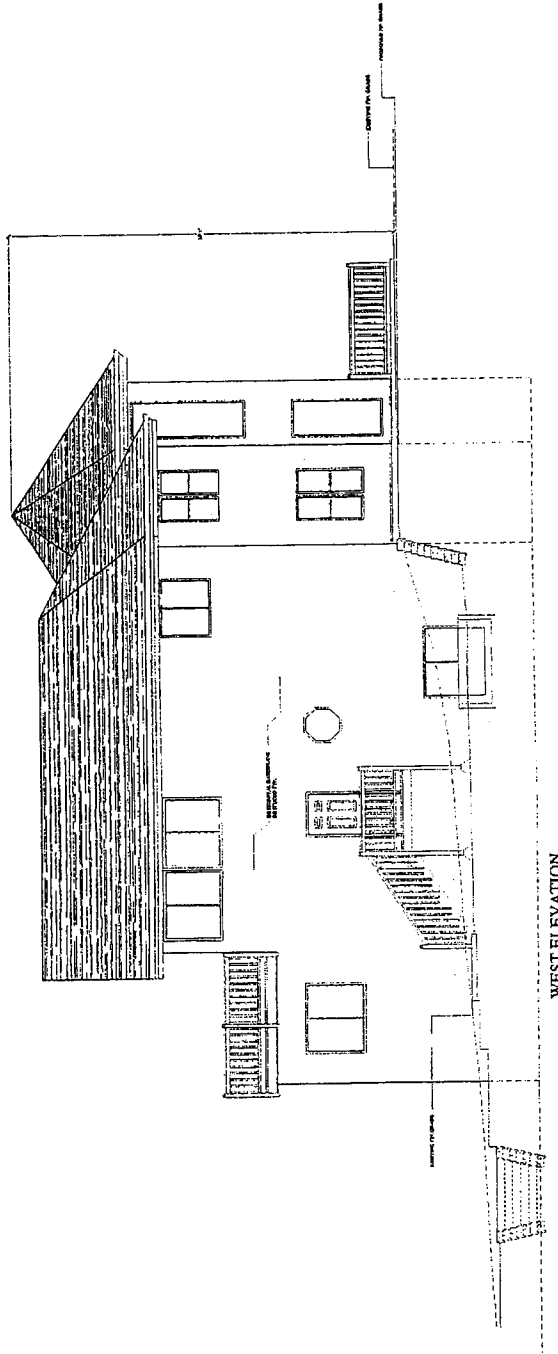


PROJECT

Minor Use Permit
STARR D010161P



NORTH ELEVATION



WEST ELEVATION

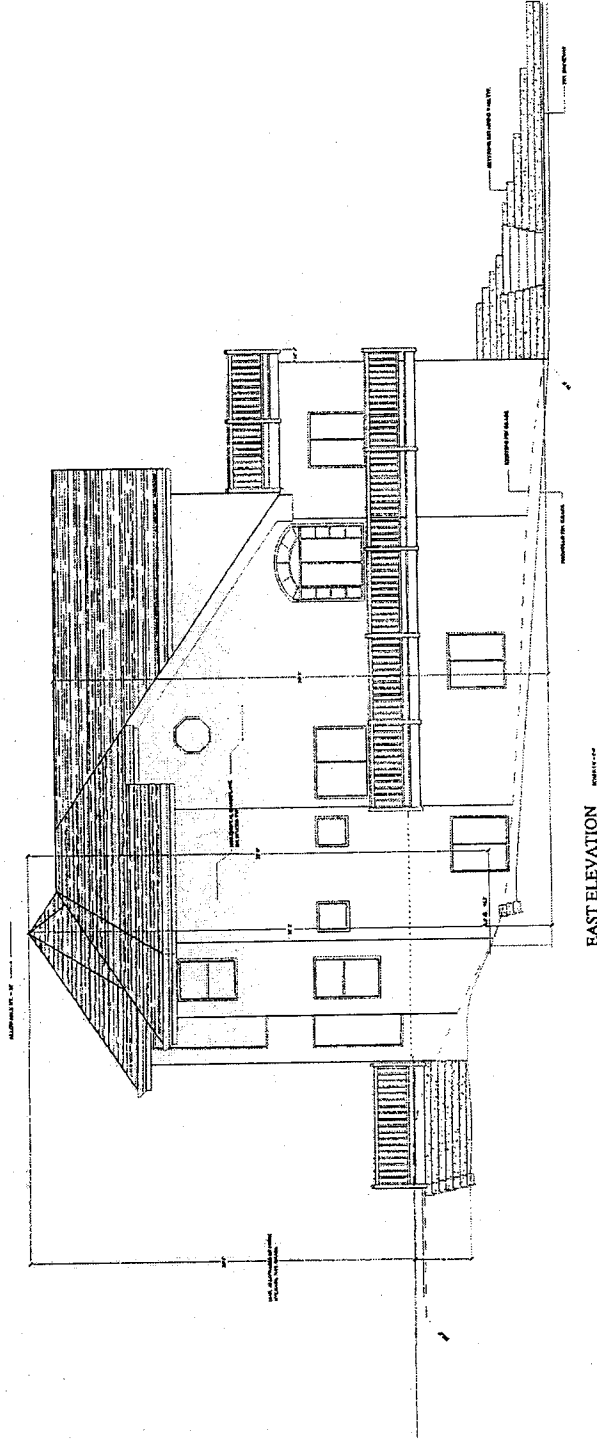
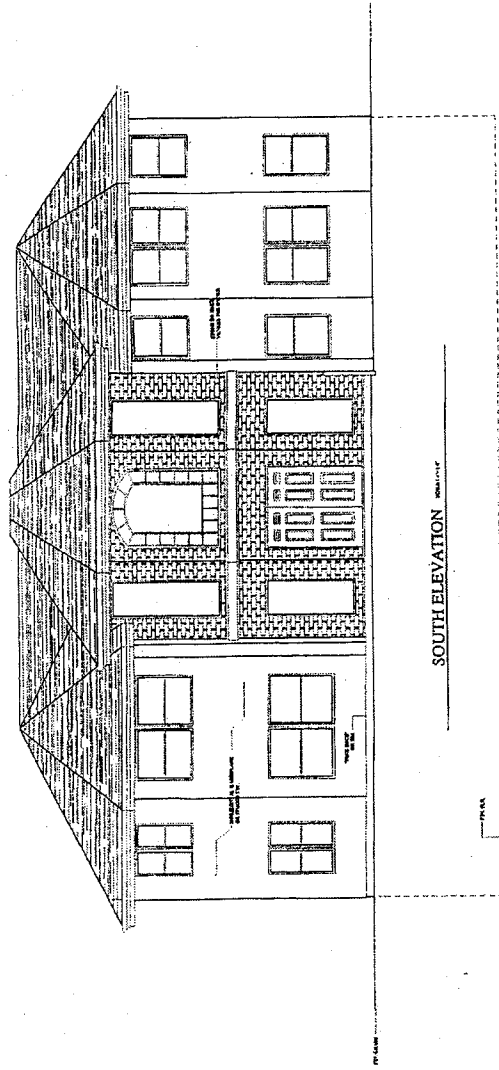
EXHIBIT

Parcel 2 – North & West Elevations



PROJECT

Minor Use Permit
STARR D010161P



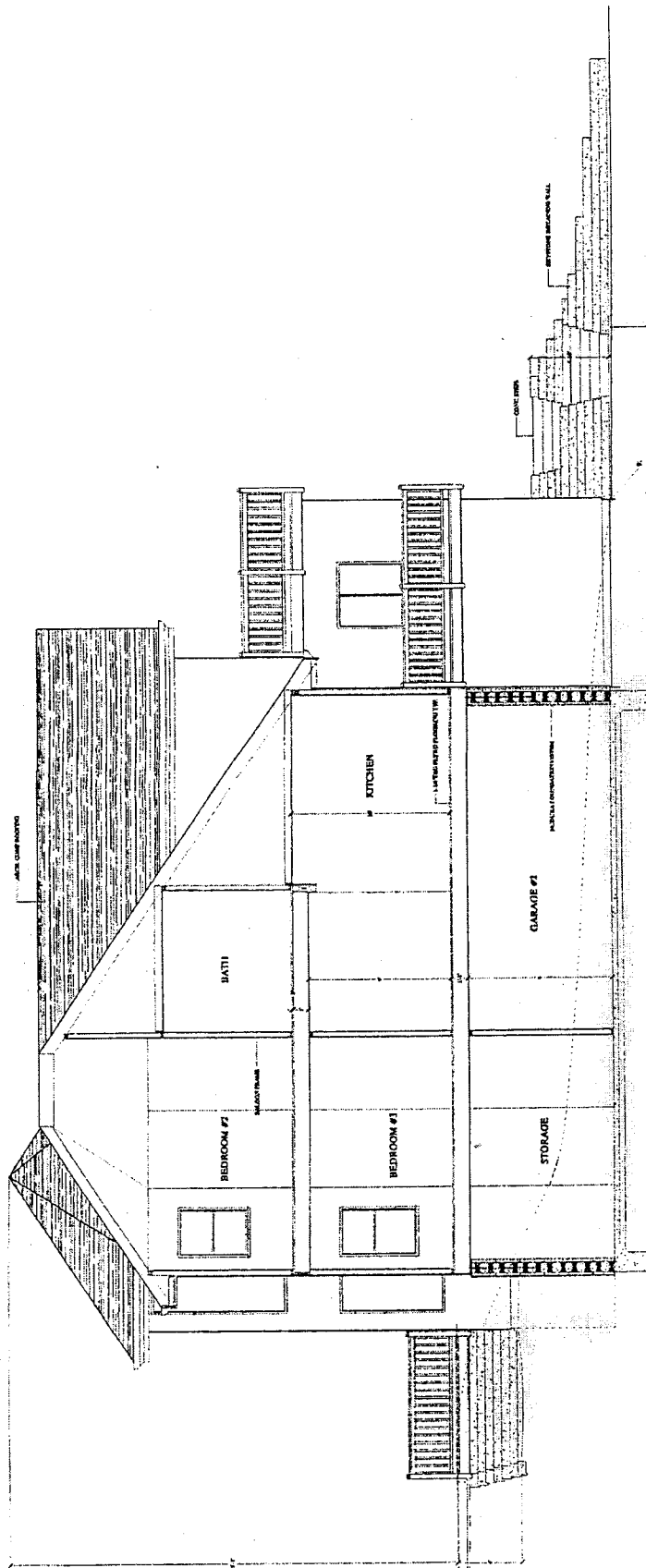
EXHIBIT

Parcel 2 – South & East Elevations



PROJECT

Minor Use Permit
STARR D010161P



PRELIMINARY SEC. M-1

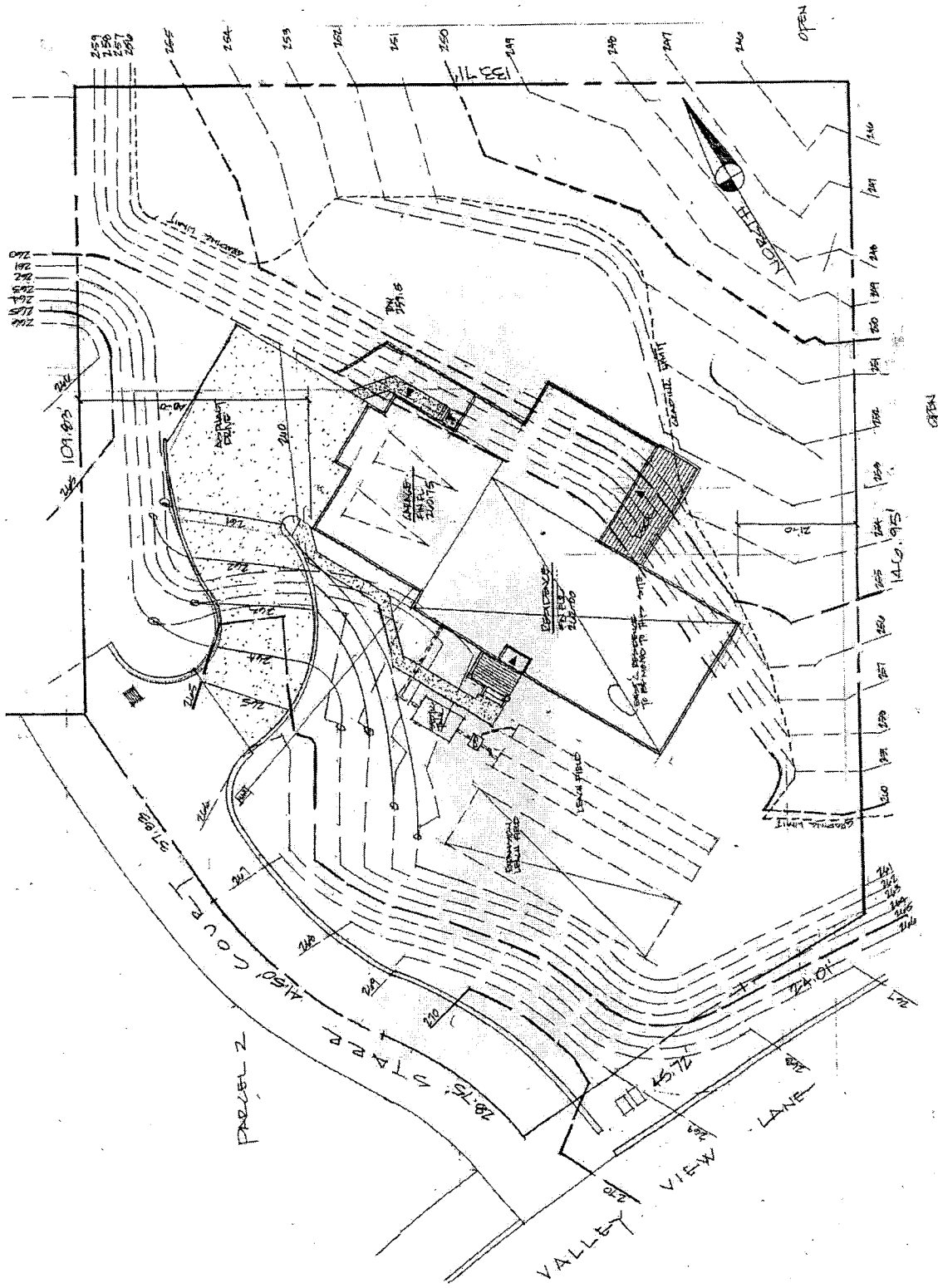
EXHIBIT

Parcel 2 - Section



PROJECT

Minor Use Permit
STARR D010161P



SITE PLAN

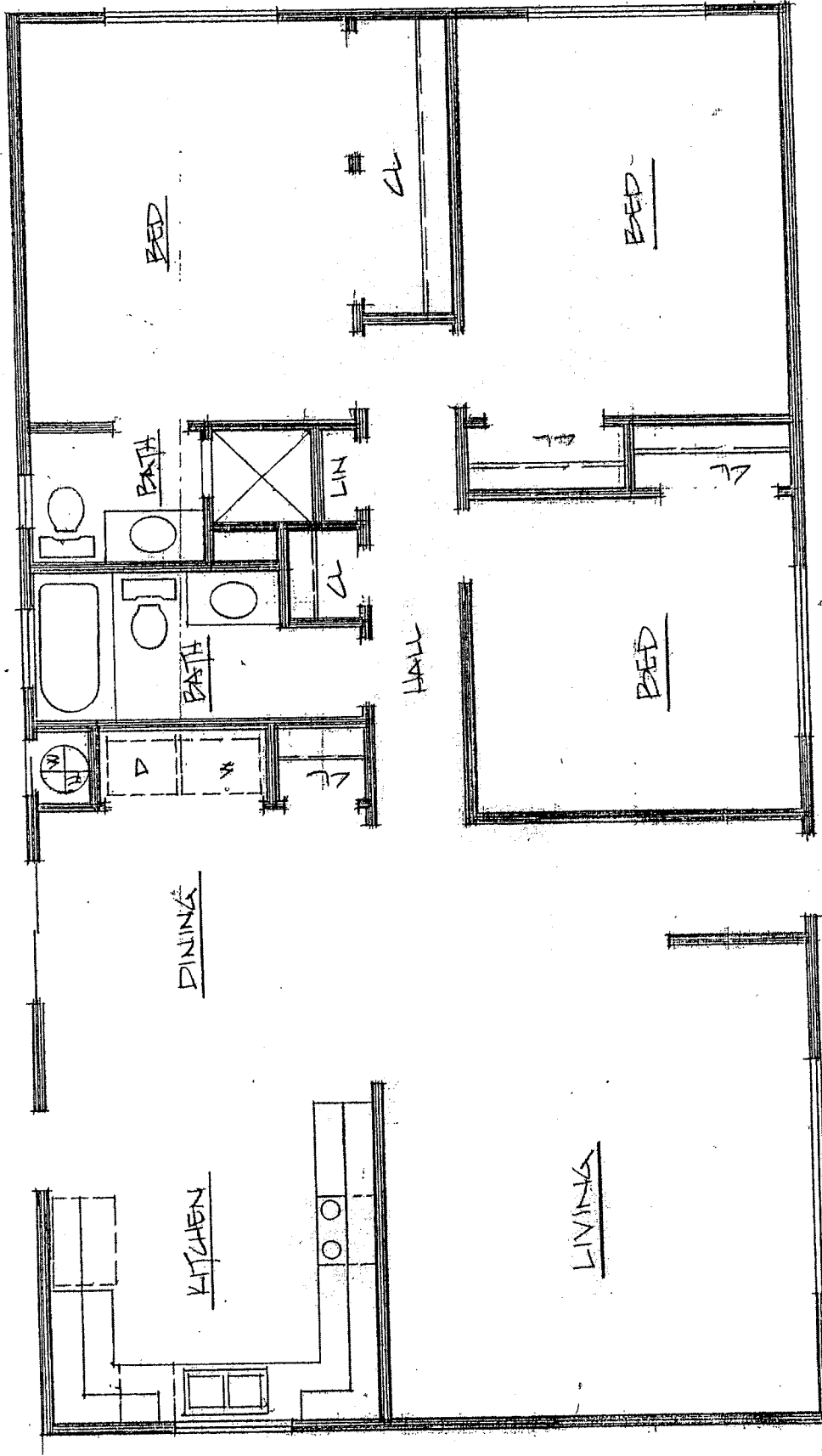
EXHIBIT

Parcel 3 - Site Plan



PROJECT

Minor Use Permit
STARR D010161P



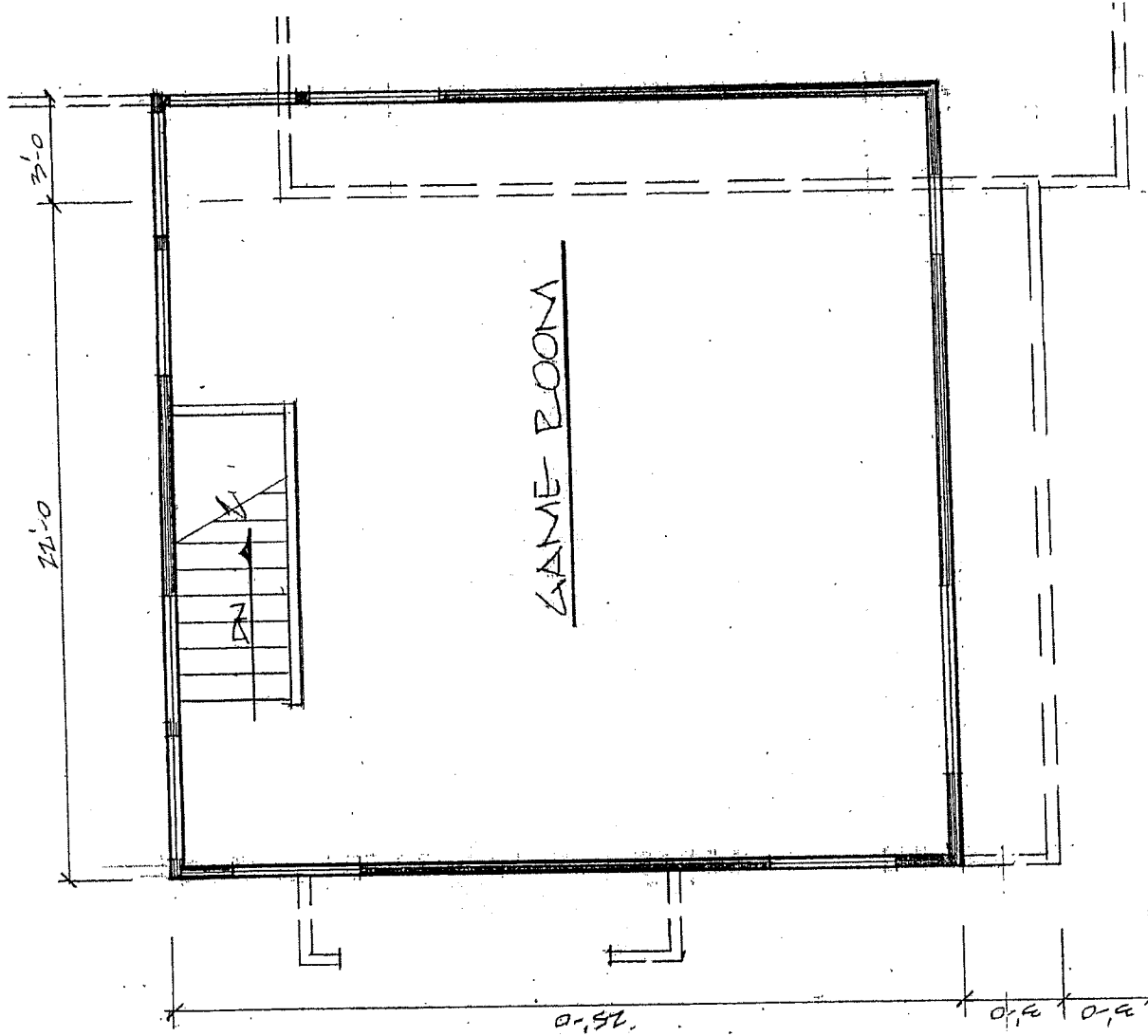
EXHIBIT

Parcel 3 - Existing Floor Plan



PROJECT

Minor Use Permit
STARR D010161P



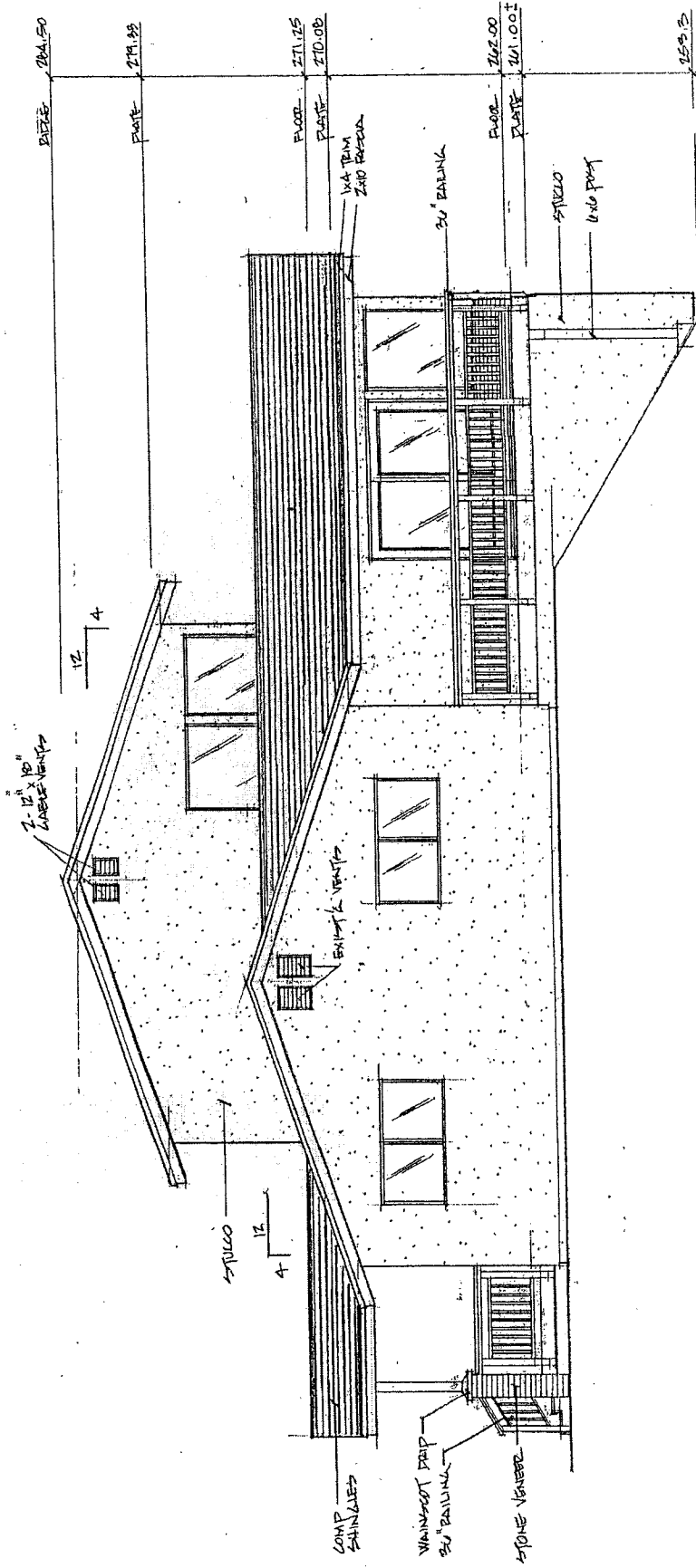
EXHIBIT

Parcel 3 - New Second Floor (Addition)

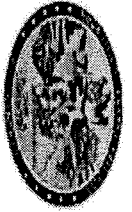


PROJECT

Minor Use Permit
STARR D010161P



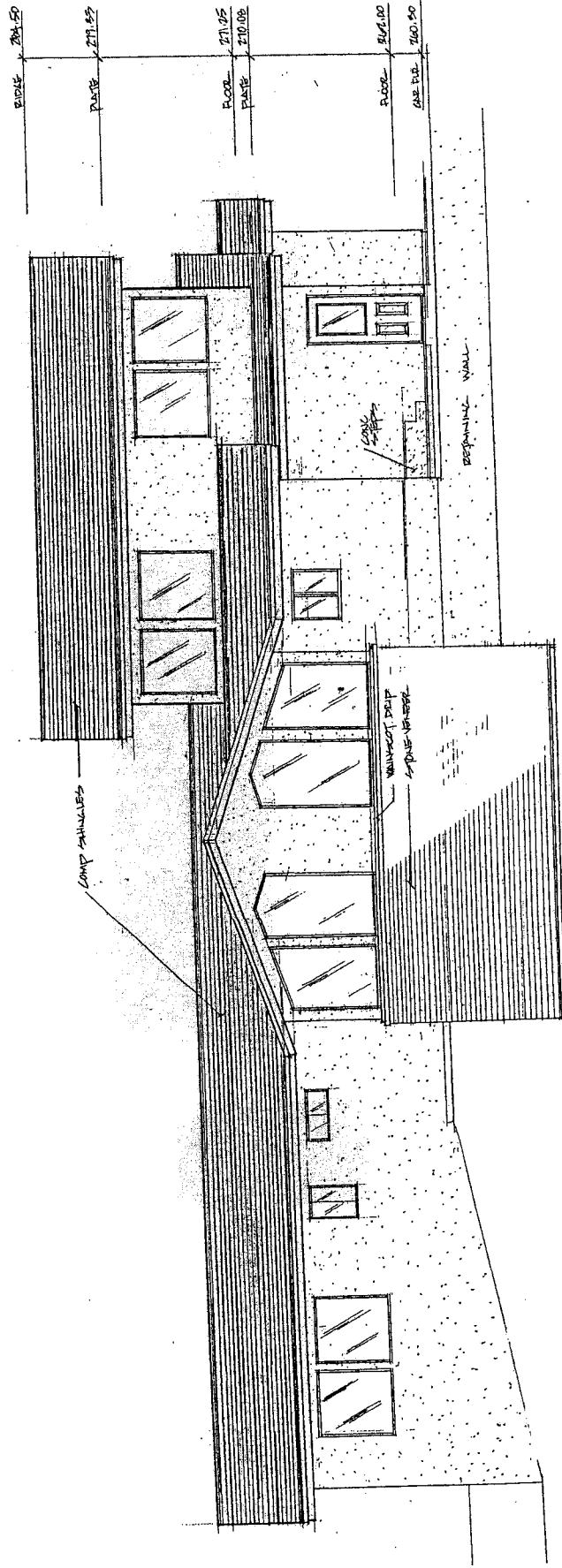
EXHIBIT



Parcel 3 - East Elevation

PROJECT

Minor Use Permit
STARR D010161P



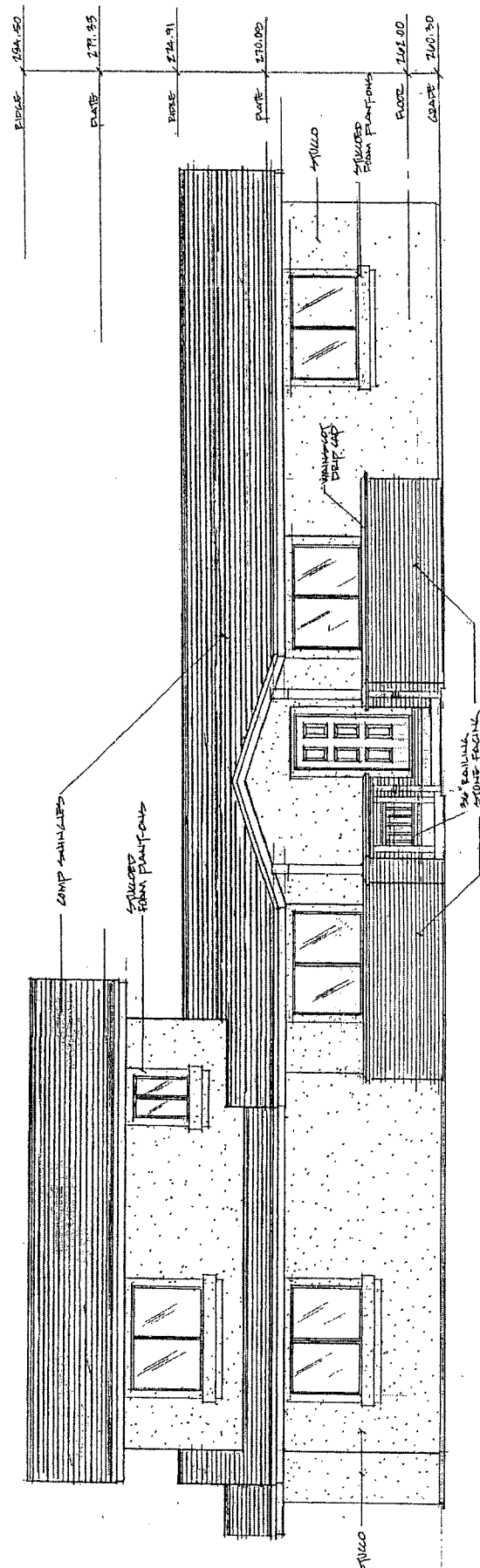
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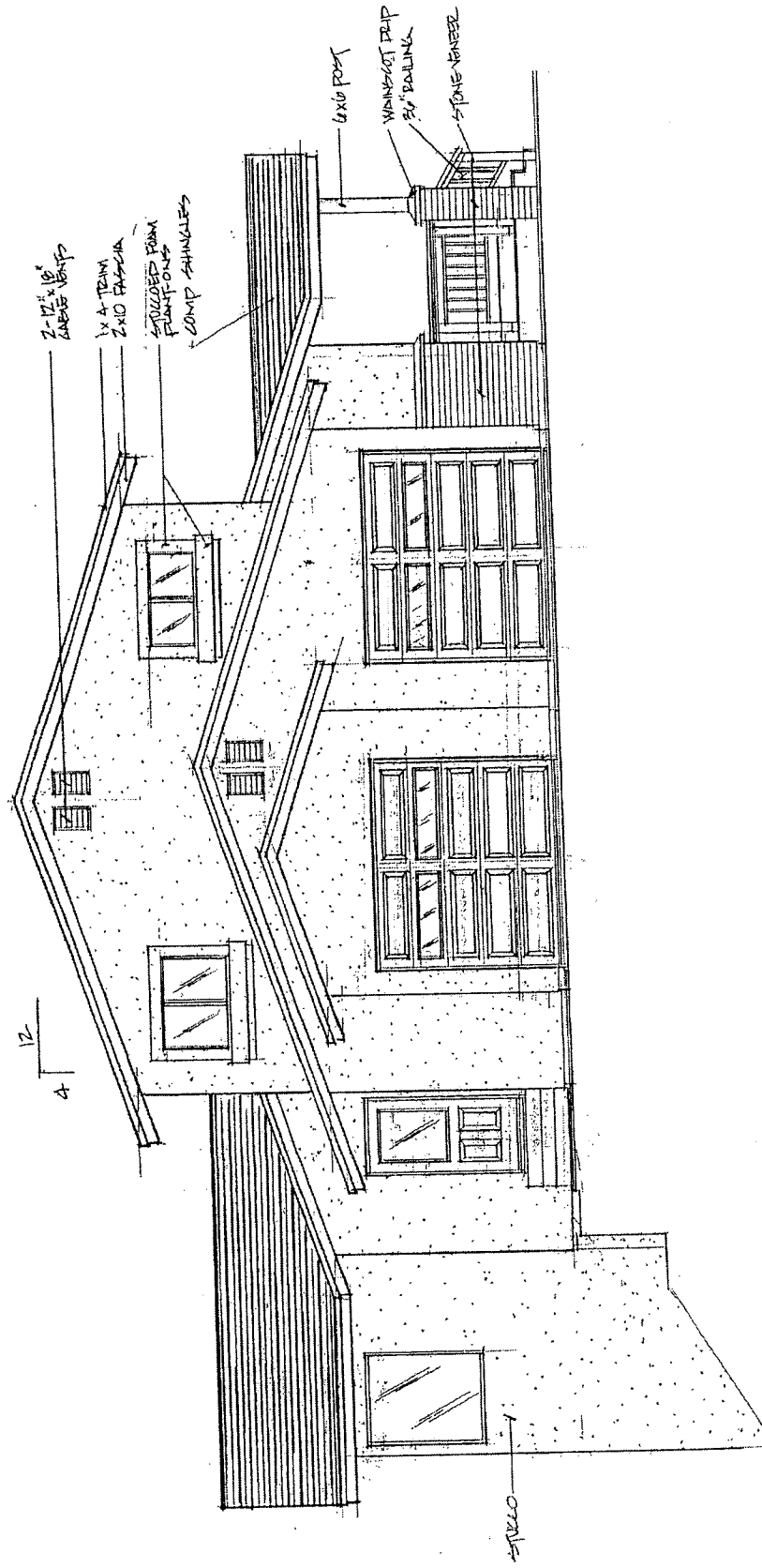
Parcel 3 - North Elevation



PROJECT

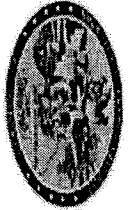
Minor Use Permit
STARR D010161P





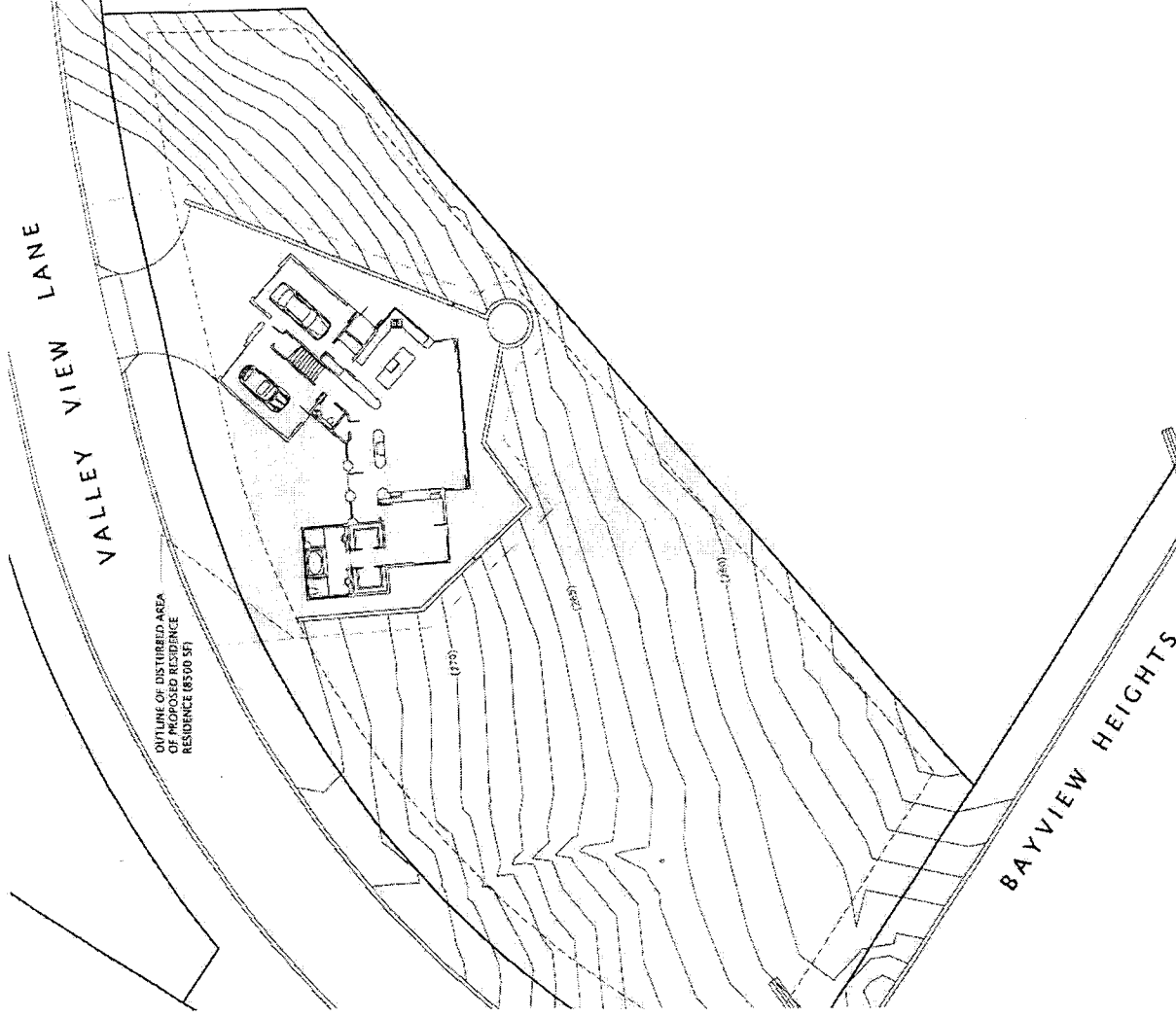
EXHIBIT

Parcel 3 – West Elevation



PROJECT

Minor Use Permit
STARR D010161P



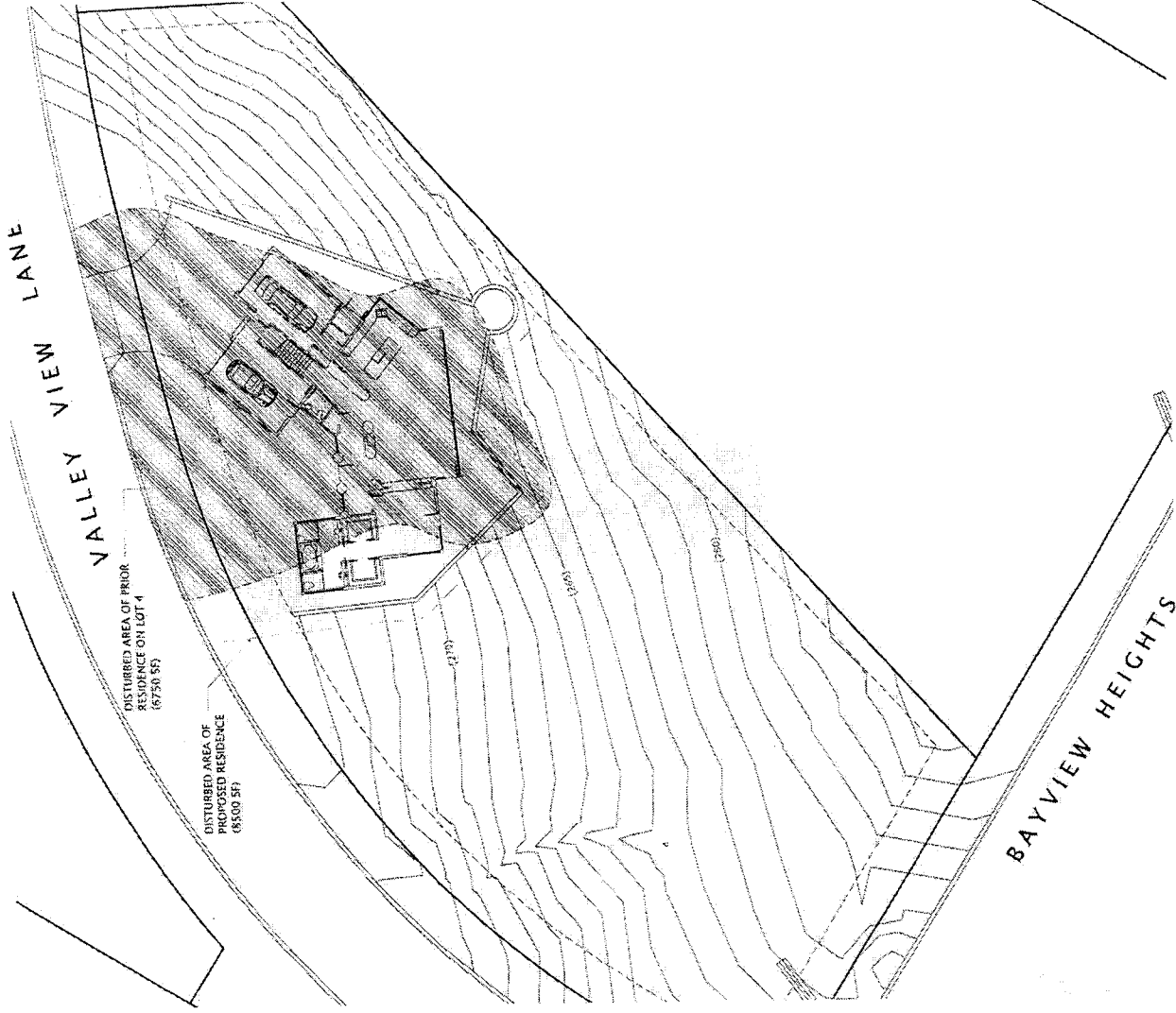
EXHIBIT

Parcel 4 - Proposed Site Plan



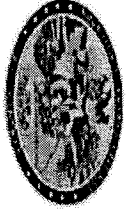
PROJECT

Minor Use Permit
STARR D010161P



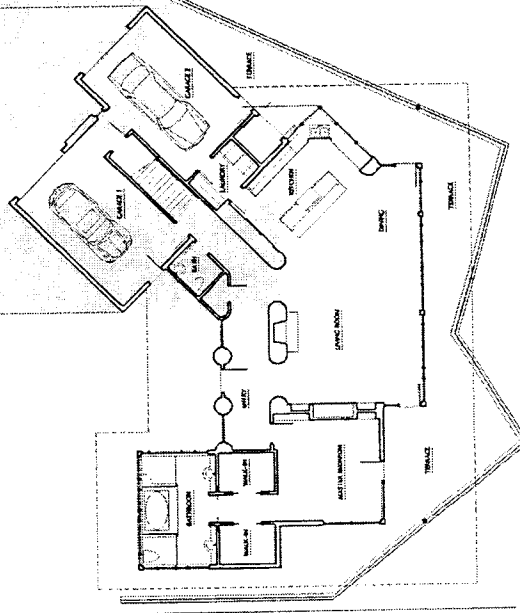
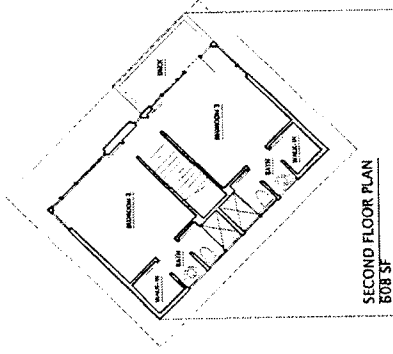
EXHIBIT

Parcel 4 - Comparative Site Plan

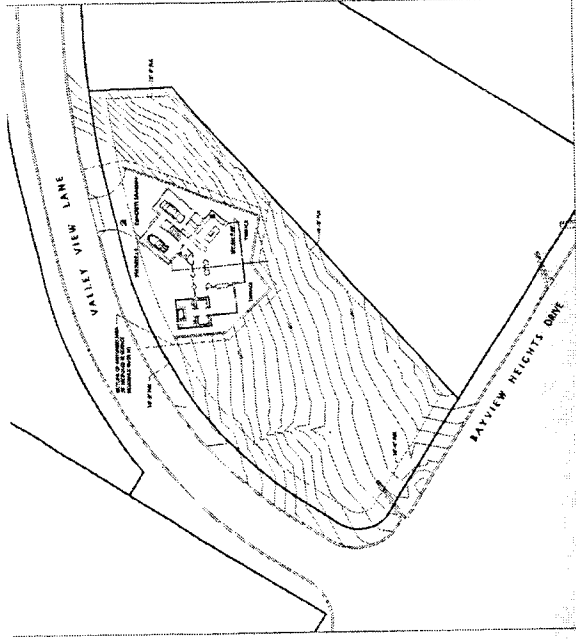


PROJECT

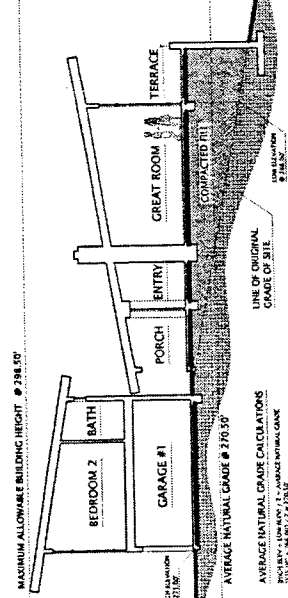
Minor Use Permit
STARR D010161P



PRELIMINARY FLOOR PLANS
SCALE: 1/8" = 1'-0"



PRELIMINARY SITE AND GRADING PLAN
SCALE: 1/8" = 1'-0"



BUILDING SECTION "A"
SCALE: 1/8" = 1'-0"

EXHIBIT

Parcel 4 - Floor Plans, Section, & Grading

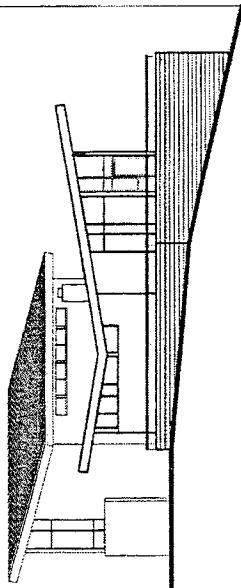


PROJECT

Minor Use Permit
STARR D010161P

TYPICAL BUILDING EXTERIOR FINISHES

1. ALL ROOFING OF STANDING SEAM METAL PANELS, GUNMETAL GRAY.
2. ALL EXTERIOR WALLS OF RESIDENCE OF STUCCO WITH SMOOTH FINISH, PAINTED TUSCAN YELLOW.
3. ALL WINDOWS OF CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM ASSEMBLY WITH GREEN TINT.
4. ALL TERRACE WALLS OF 30-IT-FACED CONCRETE MASONRY, DARK TAN.
5. TERRACE HANDRAILS OF TUMPEL GLASS WITH CLEAR ANODIZED ALUMINUM HANDRAIL.

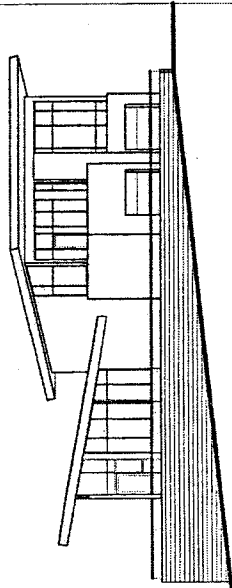


PRELIMINARY WEST-FACING EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"

TYPICAL BUILDING EXTERIOR FINISHES

1. ALL ROOFING OF STANDING SEAM METAL PANELS, GUNMETAL GRAY.
2. ALL EXTERIOR WALLS OF RESIDENCE OF STUCCO WITH SMOOTH FINISH, PAINTED TUSCAN YELLOW.
3. ALL WINDOWS OF CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM ASSEMBLY WITH GREEN TINT.
4. ALL TERRACE WALLS OF 30-IT-FACED CONCRETE MASONRY, DARK TAN.
5. TERRACE HANDRAILS OF TUMPEL GLASS WITH CLEAR ANODIZED ALUMINUM HANDRAIL.

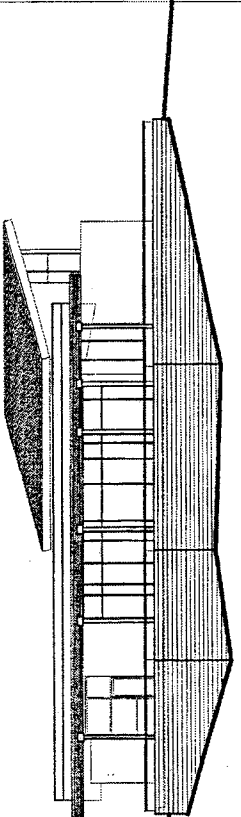


PRELIMINARY EAST-FACING EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"

TYPICAL BUILDING EXTERIOR FINISHES

1. ALL ROOFING OF STANDING SEAM METAL PANELS, GUNMETAL GRAY.
2. ALL EXTERIOR WALLS OF RESIDENCE OF STUCCO WITH SMOOTH FINISH, PAINTED TUSCAN YELLOW.
3. ALL WINDOWS OF CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM ASSEMBLY WITH GREEN TINT.
4. ALL TERRACE WALLS OF 30-IT-FACED CONCRETE MASONRY, DARK TAN.
5. TERRACE HANDRAILS OF TUMPEL GLASS WITH CLEAR ANODIZED ALUMINUM HANDRAIL.

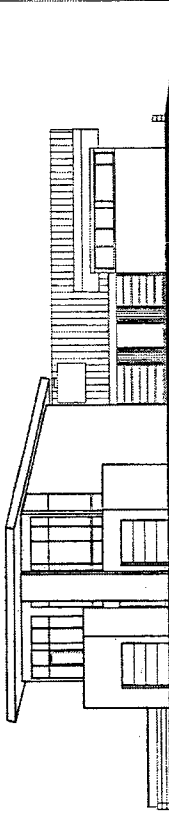


PRELIMINARY SOUTH-FACING EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"

TYPICAL BUILDING EXTERIOR FINISHES

1. ALL ROOFING OF STANDING SEAM METAL PANELS, GUNMETAL GRAY.
2. ALL EXTERIOR WALLS OF RESIDENCE OF STUCCO WITH SMOOTH FINISH, PAINTED TUSCAN YELLOW.
3. ALL WINDOWS OF CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM ASSEMBLY WITH GREEN TINT.
4. ALL TERRACE WALLS OF 30-IT-FACED CONCRETE MASONRY, DARK TAN.
5. TERRACE HANDRAILS OF TUMPEL GLASS WITH CLEAR ANODIZED ALUMINUM HANDRAIL.



PRELIMINARY NORTH-FACING EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"

PROJECT

Minor Use Permit
STARR D010161P



EXHIBIT

Parcel 4 - Elevations



9

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

FEB 25 2005

DATE:

2/16/05

FROM

FROM

Kerry Brown / Coastal Team
(Please direct response to the above)

DO10161 P / STARR
Project Name and Number

Development Review Section (Phone

788-2009

*OR ASK THE SWITCH-
BOARD FOR THE PLANNING

PROJECT DESCRIPTION:

MUP -> 2 SFDs in Los Osos. APNs
074-325-062 & 064. SFD on parcel 4 - 2,794 SF.
SFD on parcel 2 - 2806 SF. W/in LCP. Parcel 2 & 4 are
separated by Valley View Lane, Los Osos.

Return this letter with your comments attached no later than:

3/3/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend Approval - NEED DRAINAGE PLAN FOR EACH STRUCTURE.
Los Osos Pond Fees will be due with Bldg Permits. IF ANY WORK IS
done (Utility service etc) in Bayview Heights Dr an Encroachment Permit will be
required.

07 MARCH 2005
Date

Goodman
Name

5252
Phone



CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

KB

April 11, 2005

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

Dear Coastal Team,

MINOR USE PLAN

Name: Strarr

Project Number: D010161

The Department has reviewed the minor use plans submitted for the proposed two single family residences project located at 1535 Valley View Ln., Los Osos. The property is located within high fire hazard severity area, and will require a minimum 5 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

BUILDING SETBACKS

The San Luis Obispo County Planning and Building Department shall establish setbacks for all parcels that cannot meet standard setback requirements.
The San Luis Obispo County Planning and Building Department shall establish setbacks for all parcels less than one acre.

ROOF COVERINGS

All new structures within "high" fire severity zones shall have a minimum of at least a Class B roof covering.

FIRE EXTINGUISHING SYSTEM

- The proposed project is required to install a residential fire/life safety sprinkler system for both residences due to poor water flow.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13D.
- Plans shall be submitted for review and approval to the County Building Department.
- The Contractor shall be licensed by the State of California [CFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].

COMMUNITY WATER SYSTEM

- Emergency water supplies shall meet the minimum fire flow requirements as identified in the California Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended, and in Appendix III-A.
- The proposed project shall provide a minimum 1000 gallons of water per minute for 120 minutes.
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

One fire hydrant shall be required.

- Fire hydrants are to be located with a maximum normal spacing of 300 feet as measured along vehicular travel ways.
- The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.
- Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4 inch suction outlet with National Standard Fire thread.
- The Chief shall approve other uses not identified.

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

- Signing: Each hydrant shall be identified by blue reflective dot.
 - (a) On a fire resistive post within 3 feet of fire hydrant.
 - (b) On a non-skid surface, center of roadway, to the fire hydrant side.

ACCESS

Access road width shall be 18 feet.
Driveway width shall be 12 feet.
All road and driveway surfaces shall be all weather.
All surfaces shall be constructed to meet a load capacity of 20 tons.
Any grade exceeding 12% shall be a non-skid surface.

ADDRESSING

Legible address numbers shall be placed on all residences.
Each residence shall be assigned a separate address.
Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:
To each side of roads and driveways a 10-foot fuelbreak shall be provided.
Maintain around all structures a 30-foot firebreak.

- This does not apply to landscaped areas and plants.

Remove any part of a tree that is within 10 feet of a chimney outlet.
Maintain any tree adjacent to or overhanging any building free of deadwood.
Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently Southern San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,



Gilbert R. Portillo

Fire Inspector

C: Mr. Sherman Starr



California Regional Water Quality Control Board

Central Coast Region



Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

September 10, 2001

Sherman Starr
2938 Cliff Drive
Santa Barbara, CA 93109

Dear Mr. Starr:

COVERAGE UNDER GENERAL ORDER NO. 00-12, WASTE DISCHARGE REQUIREMENTS FOR RESIDENTIAL ON-SITE WASTEWATER SYSTEMS WITHIN THE BAYVIEW HEIGHTS AND MARTIN TRACT AREAS OF LOS OSOS, SAN LUIS OBISPO COUNTY

We have reviewed your Notice of Intent (application) to comply with General Waste Discharge Requirements Order No. 00-12 and find it to be complete. Your submittal, combined with information provided in our September 4, 2001 meeting with your agent Jeff Edwards, indicates that your proposed on-site wastewater discharges from development of four single family residences (a four-lot subdivision of parcel (APN) 074-325-019) may adequately comply with the conditions for coverage under Order No. 00-12. Your submittal also indicates the proposed project may be consistent with criteria specified in the Water Quality Control Plan, Central Coast Region (Basin Plan) for siting and design of on-site wastewater systems. In order to assure compliance with Order No. 00-12 and the Basin Plan, each of the wastewater systems must be installed as described in the San Luis Obispo County information package for Private Sewage Disposal Systems. Also, in order to prolong the useful life of the disposal systems, we recommend residents alternate disposal field use periodically (such as annually).

Because of the discretionary interpretation used in evaluating your application (relative to lot size), your application will be considered by the Regional Board at its October 26, 2001 public meeting in San Luis Obispo. If the Regional Board concurs with staff's evaluation of your application, then your proposed discharges are consistent with Order No. 00-12. In which case, this letter documents exemption to the Basin Plan prohibition of waste discharges within the Los Osos area (Resolution 83-13) and coverage under General Order No. 00-12 provided ongoing compliance with the requirements of the Order are demonstrated. Please note there are monitoring and reporting requirements associated with this Order as well as payment of annual fees. A copy of the Order is attached for your records. You must inform subsequent owners of these requirements and the obligations the requirements create (proper operation and maintenance of the systems, monitoring and reporting, and payment of annual fees).

If you have questions, please call Sorrel Marks at 549-3695 or Gerhardt Hubner at 542-4647.

Sincerely,

fr: [Signature]
Roger W. Briggs
Executive Officer

S:\wb\southern\staff\sorrel\00-12starr.approval

California Environmental Protection Agency



Recycled Paper

c: Jeff Edwards, P. O. Box 6070, Los Osos, CA 93412
Pat Beck, Dpt. of Planning & Building, County Government Center, San Luis Obispo, CA 93408
Bruce Buel, Los Osos CSD, P. O. Box 6064, Los Osos, CA 93412





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

D010161P
STARR MUP

July 24, 2000

2001 DEC 14 1 30 05
FISH AND WILDLIFE SERVICE
VENTURA, CALIFORNIA

Mr. Jeff Edwards
Jeff Edwards Company
P.O. Box 6070
Los Osos, California 93412

Subject: Starr Property (APN 074-325-019), Los Osos, San Luis Obispo County,
California

Dear Mr. Edwards:

We have reviewed your request, dated May 30, 2000, for our concurrence that development of the subject property will not result in take of the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*). Your request was made on behalf of the property owner, Sherman Starr, who is proposing to develop a cluster subdivision including four homes on this undeveloped lot. The 4.81-acre lot is situated on the corner of Bayview Heights and Valley View Roads, about two miles south of Los Osos Valley Road in the community of Los Osos. Over two acres of the lot will be set aside as permanent open space. The County of San Luis Obispo's Department of Planning and Building (County) would use our concurrence as part of its project analysis for the property owner's building permit application.

The U. S. Fish and Wildlife Service's (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines "take" to mean "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Service regulations (50 CFR 17.3) define "harm" to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to listed species by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species. Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways: through interagency consultation for projects with Federal involvement pursuant to section 7 or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act.

Mr. Jeff Edwards

Biologists from Jones and Stokes Associates conducted five surveys for the Morro shoulderband snail on the following dates: December 29, 1997, January 9 and 23, and February 6 and 20, 1998; no Morro shoulderband snails were found. The site is dominated with buck brush (*Ceanothus cuneatus*), sage (*Artemisia californica*), buckwheat (*Eriogonum parvifolium*), (*Baccharis* sp.) and Morro manzanita (*Arctostaphylos morroensis*) and numerous oak trees (*Quercus agrifolia*) near the northeast corner. This type of vegetation generally is not habitat for the Morro shoulderband snail.

Based on the facts that the proposed project site does not support suitable habitat and evidence of Morro shoulderband snails was not found, we concur that development of the subject property is not likely to result in the take of the Morro shoulderband snail. Therefore, an incidental take permit, pursuant to section 10(a)(1)(B) of the Act, is not required for this action. This letter does not constitute authorization from us to take Morro shoulderband snails in any manner. If the development project results in unanticipated effects to listed species or in the unlikely event that Morro shoulderband snails are subsequently found at this site, we recommend you suspend activities which could result in take and contact us to assess any potential effects to listed species and the need for compliance with the Act.

Additionally, the subject property contains Morro manzanita. The Act or its implementing regulations do not prohibit take for listed plant species. Therefore, an incidental take permit, pursuant to section 10(a)(1)(B) of the Act, for the Morro manzanita is not required for this action. However, removal of listed plants may be a violation of the Act under certain circumstances if the action is not in compliance with state law. In addition, because the Morro manzanita is only known to occur in the vicinity of Los Osos, we encourage Los Osos homeowners to retain any individuals of this species in their landscaping plans. The Morro manzanita is also considered a sensitive species by the California Department of Fish and Game, and we recommend that you contact them for comments on your proposal.

We believe the establishment of an open space easement on this portion of the property is a potentially positive measure towards conserving a small portion of Los Osos' highly unique biological diversity. However, because the County's open space designation allows for uses that are largely incompatible with sustaining native species (e.g., equestrian facilities, golf courses), we strongly recommend the easement contain stipulations that require the maintenance of natural habitat on-site, as stated in Scenic preservation Agreements issued by the County. We also recommend that the County work with the project proponent to permanently designate the open space area for the explicit preservation of native biological diversity of the site.

We appreciate the opportunity to review the subject document. If you have any questions, please write or call Ron Popowski of my staff. Ron uses a text telephone due to his deafness. To contact Ron, please use the Relay Service according to the following protocol:

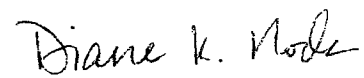
- 1) Dial the Relay Service at: 1 (888) 877-5379
- 2) Give the operator Ron's phone number: (805) 644-7265

Mr. Jeff Edwards

3

- 3) Once you are connected to Ron, speak to the operator as if you were speaking to Ron.
The operator will type what you say for Ron and tell you what Ron has typed in response.
- 4) Thank you for your cooperation in this process.

Sincerely,

A handwritten signature in black ink that reads "Diane K. Noda". The signature is written in a cursive, flowing style.

Diane K. Noda
Field Supervisor

JULY 28, 2005

**DEVELOPER'S STATEMENT FOR
STARR MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT;
ED01-550 (D010161P)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Archaeology

1. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
 1. List of personnel involved in the monitoring activities;
 2. Description of how the monitoring shall occur;
 3. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 4. Description of what resources are expected to be encountered;
 2. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 3. Description of procedures for halting work on the site and notification procedures;
 4. Description of monitoring reporting procedures.

Monitoring: A plan shall be submitted by the consulting archaeologist. Compliance will be verified by the Department of Planning and Building.

2. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.
3. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or**

final inspection, whichever occurs first, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Monitoring: A report shall be submitted by the consulting archaeologist. Compliance will be verified by the Department of Planning and Building.

Threatened Plant Protection/Replacement

4. The applicant understands that the proposed project is within a biologically sensitive area (*Botanical Report: Levine Fricke, January 17, 2002*). The site contains a threatened species listed under the federal Endangered Species Act (Morro manzanita; *Artostaphylos morroensis*). In an effort to mitigate for the direct loss of (9) four Morro manzanita plants on parcel # 4, the applicant agrees to implement the following mitigation measures:
 - a. The four manzanita plants lost as a result of the project shall be replaced at a 5:1 ratio. A total of **45** new Morro manzanita plants shall be planted on-site for long term replacement and habitat enhancement. The new plants shall be actively maintained throughout the life of the five years monitoring period.
 - b. Prior to replanting, the applicant shall engage the services of a qualified biologist to:
 1. Establish the proper density for replanting
 2. For on-site field consultation
 3. Have the biologist available for an on-site field verification inspection with staff from the Development Review Section of the Department of Planning and Building.
 - c. Cuttings shall be taken while the stem tips are vigorously growing in spring or early summer.
 - d. The cuttings shall be dipped in a rooting compound and planted in a flat using a planting mix.
 - e. When rooting occurs the cuttings shall be transferred to one gallon size containers.
 - f. The new plants shall be planted in the designated receiving site (see Exhibit A) in the fall after the first rains.
 - g. A drip irrigation system shall be used to supplement the rainfall in the winter when long dry periods occur.
 - h. Irrigation shall also occur at weekly intervals during the first summer.
 - i. Irrigation shall be discontinued after the first summer.

- j. To control the growth of non-native exotic vegetation (e.g. ice plant pampas grass, etc.) the areas between the manzanita shall be mowed and cleared of non-native vegetation regularly for at least the first five years.
- k. Cuttings shall be taken during the second year so that there will be enough to replace any of the plants of the original planting that might have died. These second phase cuttings shall be propagated using similar methods as the first phase.
- l. The new plants shall be monitored for a five year period. Annual reports shall be submitted to the Environmental Division each year for review and approval. The annual reports shall be prepared by a qualified individual, as approved by the Environmental Coordinator. At the end of the five year period, at least 20 new manzanita shall be established on site.

Delineation of Disturbance Areas

- 5. **Prior to construction activities for parcel #4**, a disturbance control line shall be established with 4 foot high orange barrier fencing with metal T-posts every 8 feet along the southerly limit of the building envelope. All other manzanita within 50 feet of the project area shall be fenced-off from ground disturbing activities during the entire construction period. The fencing shall be strong enough to withstand minor impacts from construction equipment.

Exotic Plant Removal

- 6. **Prior to commencing with manzanita replacement for parcel #4**, the applicant shall remove the exotic (non-native) plants from the subject property. Areas of unprotected soil shall be re-seeded with a native plant mix (or landscape materials) sufficient to protect exposed soil areas from erosion due to wind or water.

Monitoring Program

- 7. To ensure that site disturbance is contained within the prescribed building and site improvement areas and that the replanting program is implemented effectively, the applicant shall contract with a qualified biologist approved by the Department of Planning and Building, Environmental Division for mitigation monitoring for parcel # 4. The mitigation monitoring activities and intervals shall be as follows:
 - a. **prior to issuance of a grading or building permit** replanting plan shall be submitted to Environmental Division staff for review and approval
 - b. **prior to issuance of a grading or building permit** a pre-construction meeting shall be convened with the general contractor and grading sub-contractor to explain the mitigation program on-site, in conjunction with or immediately after the field inspection for site-disturbance-containment fencing and staking of the utility corridor and drainage course/erosion control improvements identified in the drainage plan.

- c. **during grading activities, trenching for utilities, and construction of drainage improvements** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)
- d. **during removal of non-native plants** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)
- e. **during planting of 20 replacement Morro manzanita** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)
- f. **during the field verification visit for Environmental Division staff inspection** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)
- g. **during field verification visit(s) for annual reports throughout the monitoring period** the biologist shall be engaged for on-site review (time frame for biologists services shall be as determined by the biologist and staff)

Monitoring: Compliance shall be verified by the consulting botanist in consultation with the Environmental Coordinator.

Open Space Easement

- 8. **Prior to issuance of a building permit for parcel #4**, the applicant shall enter into an open-space agreement in a form approved by County Counsel for the area shown on Exhibit A encompassing Morro manzanita.

Monitoring: Agreement will be verified by the Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Sherman W. Starr
Signature of Owner(s)

8/5/2005
Date

SHERMAN STARR
Name of Owner - Print

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